

A
HISTORY
OF
POLITICAL THOUGHT
VOLUME ONE
PLATO TO BUF



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PLATO TO BURKE

BY THE SAME AUTHOR

A History of Political Thought Vol. 2

(Bentham to the Present Day)

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PREFACE

Ideas and institutions do not come into existence out of an oak or a rock. They are the manifestations of human mind. The world of science has proved that there is a cause for every effect. The functioning of human mind itself is conditioned by pressures received from the outside world. It is, however, difficult to determine exactly the multiplicity of factors responsible for generating such type of pressure. Long ago, Newton, the great scientist, had discovered that to every action there was an equal and opposite reaction. As in the field of action, so in the field of theory, the Newtonian principle still holds true.

Since time immemorial right upto the present day, the moon was regarded either as a god, or a ball of light or a maternal uncle of small children or a place where an old woman with the everlasting spinning wheel continued to provide new clothes to the lovers of God. It was against this mythological belief that there set in a reaction, and the scientists ultimately proved that the fact was otherwise. Although the fact about the moon has not yet been fully discovered but this process of knowing the mystery about the moon clearly demonstrates that discovery of reality can be a possibility through contradiction alone. It is, thus, clear that ideas, theories and philosophies have developed through a dialectical process. Since dialectics regard development as a process in which the old dies out and new comes forth, it, therefore, becomes evidently clear that development is not a rotation of events but a constant emergence of new qualities. Reality, therefore, is ever in a state of constant development and change. The birth and death

of ideas, their growth and development is, in fact, a process towards the unfoldment of reality. This process explains how the world of ideas has grown out of a continuing interaction between historical events and discoveries and the minds of thinking and speculative men.

My book on "Political Thought from Plato to Burke" deals with the growth and development of philosophical ideas as a result of historical events and their reactions on the minds of imaginative men. The "Republic" of Plato and the "Politics" of Aristotle sprang from the social conditions of the city-states, and might not have come into existence without them. The "Civitas Dei" of St. Augustine was designed to meet the pagan charge that Christianity was responsible for the downfall of the Roman Empire. The controversy between the state and the church for a claim to supremacy gave birth to "De Regimine Principum" of St. Thomas Aquinas, "Defensor Pacis" of Marsilio of Padua and "De Monarchia" of Dante.

The problem of unification of the Italian Peninsula before Machiavelli led him to develop a concept of morality for which he is so condemned as the author of cleverness and cunningness. Bodin's advocacy of enlightened monarchy was initiated as a result of his desire to establish peace in the French society of his day through reconciliation and toleration of different conflicting interests. The desire to rationalise and humanise war motivated Grotius to develop what is known as the science of international law. The havoc and horrors caused by the Civil War and the desire to restore a mammal social life in England were responsible for the Hobbesian justification of absolute monarchy and his denunciation of the audacious claims of the church for powers. As a reaction to this, and in his enthusiasm to serve the cause of individual, Locke developed his philosophy of natural rights and came to be regarded as the prince of individualistic thinkers. Rousseau's interpretation of man as a noble and innocent creature, and his desire to reconcile liberty with authority led him to develop a new concept of the state as an embodiment of general will of the community. The absolutism of Louis XIV and his suppression of individual freedom was responsible for Montesquieu's theory of separation of powers as the surest guarantee for liberty. In his horrors of the French Revolution, Edmund Burke preached a conservatism which even Aristotle would have been the ! ,

approve and, thus, he came to be regarded as the founder of self-conscious conservative philosophy. It is, thus, obvious that philosophical ideas in the field of political theory have grown as a result of reaction to particular ethos and peculiar problems of each age and each nation.

Since a good deal of literature bearing on the period is already available, it was difficult for the author to break through 'fresh woods and pastures new'. But since philosophy leaves a vast scope for reinterpretation, the birth and death of ideas, their relative historical importance and development have been carefully and objectively examined.

I take pleasure in recording my deep sense of gratitude to my worthy Principal, Dr. S. N. Singh, in whom I have found a new type of humanity and humility characteristic of a perfect gentleman. I am also indebted to my very able and worthy teachers Dr. Tara Chand, Dr. Ishwari Prasad and Prof. A. B. Lal formerly of Allahabad University. I am also thankful to my great teacher, educator and administrator Dr. R. K. Singh, retired, Vice-Chancellor, Himachal Pradesh University, who always encouraged me to advance and to grow. My thanks are also due to Shri P. D. Gupta, Ex-Vice-Chancellor of Agra University who made me interested in the teaching of political thought and whose kind help and valuable guidance had always been available to me. Last, but not the least I express my deep sense of appreciation for my brother-in-law Shri Roop Singh, Lecturer in Political Science, R. S. M. Degree College, Dhampur, my wife Smt. Chandravati and my worthy publishers who had been constantly pressing me to reduce my thoughts into writing.

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CHAPTER I

POLITICAL THOUGHT BEFORE THE SOPHISTS

Greek philosophy, in fact, had its origin in the 6th century B.C. We are in perfect agreement with Prof. A. R. M. Murray that 'the first philosophical thinking of any consequence took place in ancient Greece in the sixth century B.C.'¹ It was the Greeks of the 6th century B.C., who first sought in a determined and systematic fashion, to arrive at a conception of reality based on genuinely rational foundations.² They were a race of seekers after unknown Truth. The existence of everything under the sun aroused a great curiosity and feeling of wonder in them ; and they accepted everything after a scientific investigation. They never lost a child's insatiable curiosity to know. "Ye Greeks are always boys ; there is not an old man among you. You are young in your souls."³ With this curiosity of a child they started to discover what is known as the ultimate reality of the physical universe. Their search for ultimate reality represents the insatiable desire of man not to rest contented with the acceptance of perceptual image of things as reality, but to be ever in quest of the why and wherefore of this universe, the noumena veiled by phenomena, the ever-enduring principle or substance of which the outer world is the manifestation,

1. A. R. M. Murray, *An Introduction to Political Philosophy*, 2nd edition (London), 1959, p. 24.

2. *Ibid.*, p. 24.

3. *The Egyptian Priest in Plato's Timaeus*, 22 (Jawett's translation).

the outcome or the shadow. In our country this spirit of enquiry tended to become more and more intuitional and spiritual. The Aryans, apprehending the universe in all its immensity and infinitude that baffle the mind and paralyse the reason, felt that intuition and spiritual enlightenment alone could be the succour of man in the exploration of reality.

It may be said that, in general, the early enquiries of the Greeks were directed to answering the question 'What is reality'?⁴ The first philosophers were impressed, above all, by the apparent complexity and irrationality of the universe, and they sought to find behind this appearance some relatively simple reality which would be intelligible and orderly to the human mind.

(1) *The Milesian School* : The first attempt in this direction was made by the members of the Milesian School. The founder of this school was Thales of Miletus, which was a great commercial city situated on the shore of Asia Minor. Thales, the founder member of this school lived probably from about 600-550 B.C., and about whose views we learn in the writings of Herodotus, Aristotle and others. He was a great astronomer and cosmologist. Stories of his falling into a well are told because he was so occupied with looking at the stars. Herodotus also tells us that Thales succeeded completely in predicting an eclipse which was visible in Asia Minor in May 585 B.C. There is evidence that the temperament of the Milesians was in every way adventurous, exploratory and individualistic.⁵

The members of this school concentrated their attention chiefly to discover the nature of the physical world. They believed that all things could be reduced to some primary or original matter, which was the source of worlds, stars, animals, plants and men and to which all would ultimately return. This fundamental substance, according to Thales, from which all things proceeded was water. "All is water", said Thales—the earth a disc of frozen water afloat in ocean and in vapour. His contention that water was the ultimate reality was based on observance that all things contained moisture.

Another member of this school was Anaximander, who advocated his own theory of reality. Anaximander was born about 610 B.C. He was the first Greek to write a book in prose. This book,

4. Burnet's *Greek Philosophy*, Pt. I, p. 5.

5. Rex Warner, *The Greek Philosophers* (New York), 1958, p. 12.

though lost now, was available for a time to later philosophers. This book contained the philosophical ideas of Anaximander. To Anaximander the ultimate reality or the original matter was some substance, which was ungendered and imperishable and which contained and directed all things. He named this substance as "Infinite" or the "Boundless". He was perhaps thinking of an indeterminate material mass and of which individual things are formed. References, in this very context, are quoted by John Burnet⁶, which have most relevance to Anaximander's general and original view of the problem. These references are as follows :

1. The material cause and first element of things was the infinite, he being the first to introduce this name of the material cause. He says that it is neither water nor any other of the so-called elements, but a substance different from them which is infinite, from which arise all the heavens and the worlds within them.

2. He says that this is "eternal and ageless" and that it "encompasses all the worlds".

3. And besides this there was an eternal motion, in which was brought about the origin of the worlds.

4. He did not ascribe the origin of things to any alteration in matter, but said that the oppositions in the sub-stratum, which was a boundless body, were separated out.

Anaximander, it can be said, for the first time in history, is putting forward an argument which can be called purely philosophical rather than scientific, because the force of his doctrine rests only on logical argument and cannot be either proved or disproved by experiment. One can imagine experiments which could be designed to corroborate or to overthrow the theory of Thales. Water is visible and tangible. "The Infinite" or "The non-limited" is not. But it is interesting and important to notice that science itself could not have developed if scientists had not accepted this wholly "unscientific" argument of Anaximander. It is only very recently (not earlier than the 7th century) that scientists have found any good empirical evidence for the view that all the different things in the world are in some way "forms" of same unvarying substance which cannot be identified with any "thing" or "element". Yet, in spite of the lack of evidence, they continued to believe that this view must be the correct one. May it be that the distinction which

6. John Burnet, *Early Greek Philosophy*, 4th edition, London : Adam and Charles Black ; New York : The Macmillan Company, 1930, pp. 52-53.

we make, and which the ancient Greeks did not make, is somewhat artificial one ?”?

Anaximender did not confine himself to “theory” alone. He was the first to attempt to draw a map and to construct a model, which was intended to illustrate the movements and dimensions of the heavenly bodies. With regard to these worlds and to the other heavenly bodies, he had definite ideas. He believed, for instance, that “the sun was a wheel 28 times the size of the earth, like a chariot-wheel, full of fire, showing the fire at a certain point through an orifice, as through the nozzle of a pair of bellows”. He also believed that the earth is suspended in space and, for some reason, that it is shaped like a cylinder. He had explanations for the phenomena of thunder, lightning and the winds. ‘Altogether he is a fine example of that particular daring of thought, both in its penetration and its wide horizons, which Lucretius so much admired’.⁸

The third of the philosophers of the school of Miletus was Anaximenes, who declared that the original matter of the universe was air. He maintained that the essential difference between things consisted merely in the amount of the basic substance they contain. Air when rarefied becomes fire ; when condensed it turns successively to wind, vapour, water, earth and stone. The important references to his philosophy from later sources are quoted by Burnet.⁹ They are as follows :

1. Anaximenes of Miletus, son of Eurystatus, who had been an associate of Anaximender, said like him, that the underlying substance was one and infinite. He did not, however, say it was indeterminate, like Anaximender, but determinate ; for he said it was air.

2. From it, he said, the things that are, and have been, and shall be, the gods and things divine, took their rise, while other things came from its offspring.

3. “Just as,” he said, “one soul, being air, holds us together, so do breath and air encompass the whole world”.

4. And the form of the air is as follows. Where it is most even, it is invisible to our sight ; but cold and heat, moisture and motion, make it visible. It is always in motion ; for, if it were not, it would not change so much as it does..

7. Rex Warner, *The Greek Philosophers*, 1st edition, (New York), 1958,

8. *Ibid.*, p. 16.

9. *Op. cit.*, p. 73.

5. It differs in different substances in virtue of its rarefaction and condensation.

6. When it is dilated so as to be rarer, it becomes fire ; while winds, on the other hand, are condensed Air. Cloud is formed from Air by felting* ; and this, still further condensed, becomes water. Water, condensed still more, turns too earlier, and when condensed as much as it can be, to stones.

It appears that Anaximenes was more of a scientist and less of a philosopher than his predecessor. He was interested in how things worked rather than in what they were. Thus, he was not trying to answer quite the same question as that which occurred to the mind of Anaximander. When Anaximander thought of the primary substance, he was asking himself, "What is it that every particular thing is a form of ?" But the question which Anaximenes asked himself seems to have been of a more "practical" or "scientific" kind. He was interested not in what is more fundamental than any kind of thing is most fundamental.

"However inadequate the theories of Thales and some of his successors may appear in the light of modern knowledge, they were sufficiently plausible to convince the early philosophers that the physical world was not a formless complex of chance happenings, but was subject to laws which methodical investigation could reveal"¹⁰. Apparently the philosophy of the Milesian school appears to be useless and foolish. But it had some real significance. It rejected the mythological belief of the Greeks about the origin of the world and substituted in its place a purely rational explanation. It led to the revival and the expansion of the Egyptian idea of the eternity of the universe and the indestructibility of matter. It suggested the conception of evolution in the sense of rhythmic change, of continuing creation and decay. It also helped to prepare the way for atomic conception of matter.

(2) *The Metaphysical School* : The Greek philosophy developed a metaphysical turn before the end of the 6th century B.C. The founder of the metaphysical school was Pythagoras, who came from the island of Samos, probably about 531 B.C., settled in Southern Italy and there he founded what is known a Pythagorean society. His society appears to have had political, religious and philosophical

* "Felting" is the regular form for this process with all the early cosmologists.

10. A. R. M. Murray, *op. cit.*, p. 25.

aims. It was suppressed at some date between 460 and 400 B.C., though survivors of the society carried on their teachings in the mainland of Greece. Socrates was acquainted with the teachings of the Pythagorians and their doctrine undoubtedly influenced Plato.

Pythagoras was the first thinker who, for the first time, made philosophy into something which we would call a religion or a way of life. In the seventh and sixth centuries B.C. there seemed to have taken place, particularly in Attica and in the Greek cities of Italy and Sicily, something that can be described as a religious revival. This religious movement had its effect on Pythagoras and, through him, on the subsequent history of philosophy. Of the actual religious doctrine of Pythagoras, we do not know very much. It seems certain that he believed in the transmigration of soul or in "being born again". It is likely that he taught his followers to abstain from animal flesh on the ground that there was a kinship between men and animals, though it is impossible to say whether this belief was derived from primitive notions of tabu or from the rational reflection that the soul of one of one's deceased friends might be inhabiting the body of some animal killed for the table. We have too of a number of rather curious prohibitions and injunctions, such as :

Do not eat beans.

Do not touch a white cock.

Do not stir the fire with iron.

When you get out of bed, roll up the bed clothes and smooth out the impress of the body.

He gave all these injunctions to discipline the lives of his followers. But the higher discipline of the school was connected with music, philosophy and mathematics. Pythagoras himself discovered the proof of the theorem : "The square on the hypotenuse of any right-angled triangle is equal to the sum of the squares on the other two sides" and which bears his name (the discovery is said to have been celebrated by the sacrifice of an ox) and laid the foundations both of arithmetic and geometry. It is impossible to discuss here the strictly mathematical side of the doctrine.

The Pythagorians regarded philosophy and mathematics as "good for the soul", as in fact, the best and highest form of purification. It seems to have been Pythagoras who first defined "the three lives" by comparing all men to those who attend the Olympic Games. The lowest is of those who come there simply to buy and sell ; next are the actual competitors ; and the highest class is that of those who are simply there to watch (theorem, from which our "theory" and

"theoretical" are derived). This idea of the dignity; even the sanctity, of the contemplative or philosophical life is a new idea and implies the consideration of man's duty with regard to his soul and the souls of others. This was not a consideration that had occurred to the inquirers of Miletus, but it was to play the most important part in the discussion of Socrates and in the later semi-religious terms of Stoicism and Epicureanism.¹¹ The Pythagorians also concentrated their attention upon such abstruse questions as the nature of being, the meaning of truth and the position of the divine in the scheme of things. They taught that the speculative life was the highest good and in order to pursue it, man must purify himself from the evil desire of the flesh.

Whatever might have remained the field of their speculation and line of thinking, it is a fact that the Pythagorians too remained occupied with the problem first raised by Thales. The underlying substance or principle is still sought for. According to them the essence of things is not a material substance but an abstract principle of number. Numbers, of course, are of their very nature the first of those principles; and the Pythagorians thought they saw in numbers, rather than in fire or earth or water, many resemblances to things which exist, and which come into being. They also realized that the properties and ratios of musical scale depend on numbers. In a word, they saw that other things, in respect of the whole of their natures, resemble numbers, and that numbers are the primary elements of the whole of nature. Hence, they considered the principle of numbers as the principles of all things, and the whole universe as a harmony or number. Moreover, they collected and systematized all the instances they could find of correspondence between (1) numbers or harmonies and (2) the properties and relations of the heavens and the whole universal order. If anything was lacking to complete their theories, they quickly supplied it. They held, for instance, that 10 is a perfect number and embraces all the powers of number. On this view they asserted that there must be 10 heavenly bodies; and as only nine were visible, they invented the counter-earth to make a tenth. The Pythagorians evidently treated numbers both as the material principle and as that which makes things what they are temporarily or permanently. They also held (1) that the principles of number are the Even (or unlimited or indefinite) and the Odd (or Limited or Definite); (2) that Unity (because it is both even and odd) is

11. Rex Warner, *op.cit.*, p. 20

produced out of these two numbers ; and (3) that number constitutes the whole sensible world.¹¹

It was this metaphysical philosophy of number which influenced the political ideas of both Plato and Aristotle. Justice according to the Pythagorians was a number : it was a number multiplied into itself, a square number. A square number is a perfect harmony, because it is composed of equal parts, and the number of the parts is equal to the numerical value of each part. If justice is defined as a square number, it follows that justice is based on the conception of a state composed of equal parts. A number is square so long as the equality of its parts remains : a state is just, so long as it is distinguished by the equality of its parts, and justice is the preservation of such equality. But how such equality is to be preserved ? By taking away from the aggressor, who has made himself too great and his victim too small, all the profit of his aggression, and by restoring it in its integrity to the loser. It is obvious that in this conception of justice there are elements which were to influence the trend of later political thought.¹² Here is the idea of the state as a sum of equal numbers ; here is the idea of its aim as consisting in a harmony or equipoise called justice, which preserves the nice adjustment of the members. In the *Republic*, Plato adopts this conception of justice and gives it a more spiritual content and a deeper truth.¹³ Justice is an adjustment, but an adjustment which gives to each of the spiritual factors which go to form the state—reason, spirit and appetite—its right and proper place. In Aristotle's theory of 'particular' justice the formal and numerical aspect of the Pythagorean conception may, perhaps, be traced.¹⁴ The theory of distributive and rectificatory justice in the *Fifth Book of the Ethics* and the application of a theory of justice to commerce in the *First Book of the Politics*, may both owe something to Pythagorean teaching.¹⁵

The Pythagoreans helped the growth of political science by the application of the principles of natural philosophy to the state. Some of them went beyond the application of number to the conception of

11. Aristotle, *Metaphysics*, translated by John Warrington, London : J. M. Dent and Sons ; New York : E. P. Dutton & Co. Inc., 1956, pp. 64-65 (Everyman's Library).

12. John Burnet, *op. cit.*, p. 317.

13. E. Barker, *Greek Political Theory—Plato and His Predecessors*, 4th edition (Oxford), 1952, p. 47.

14. *Ibid.*, p. 47.

15. Sir Paul Vinogradoff, *Columbia Law Review*, Nov. 1908, p. 26.

justice, and taught a definite theory of politics. The essence of that theory was the divine right of wisdom to rule the state ; and its outcome was a belief in monarchy of a theocratic type, ruling over its subjects as God rules over the world. It is possible that such teaching is later than the 5th century, and only an echo of the philosophising of the Republic : it is also possible that it preceded and helped to influence Plato.¹⁶

The Pythagorean principle that the "goods of friends are common property" was equally interpreted into an anticipation of the communism advocated by Plato. But the principle taught by the Pythagorians was formulated in a simpler form. As Dr. Barker says, "The work which Pythagoras himself achieved, and the doctrines which he himself taught, were of a simpler pattern ; and though he anticipated Plato, he did not anticipate him either by training young men for a life of Politics or by advocating communism".¹⁷

The originality of Pythagoras consisted in this, that he regarded scientific, and especially mathematical study as the best purge of the soul.¹⁸ It is obvious that Plato was under no small debt to the teaching of Pythagoras. The training of the guardians of the Republic by gymnastics and music corresponds closely to the purging by medicine and music advocated by Pythagoras. Plato lays stress upon diet as part of gymnastics ; and indeed, it was the regular rule in actual Greek life for medicine to be practised in the gymnasium. Plato, again like Pythagoras, is convinced of the value of mathematics ; and the 'music' of the Republic rises, in the course of Plato's exposition, from Homer and the lyre to astronomy and solid geometry.¹⁹

There are two other elements in the teachings of Pythagoras which had a deep influence on Plato and Greek philosophy in general. One is the doctrine of the Three classes of men—the lovers of Wisdom, the lovers of Honour, and the lovers of Gain—which perhaps implies a correlative doctrine of the Three Parts of the Soul, Reason, Spirit and Appetite. The debt of the Republic to Pythagorean doctrine on these points is both obvious and profound : the whole framework and scaffolding of the Republic, which depends on the analysis of the state into three classes and the soul into three parts, may be said to be Pythagorean.

16. E. Barker, *op. cit.*, p. 48.

17. *Ibid.*, p. 48.

18. Burnet, *op. cit.*, pp. 41–42.

19. E. Barker, *op. cit.*, p. 49.

The theory of 'Limit' is another element in the teaching of Pythagoras which affected both Plato and Aristotle. In his musical studies, which he had conducted on mathematical lines, he had found that of the four 'fixed notes' of the gamut the two intervening notes each constituted, in different ways, a Mean between the two extremes and opposite notes, the high and the low. This led him to believe that the Mean was a mixture or blend, or in musical language proper, a harmony or 'fitting together' of two opposites. In this way he came to believe that the Mean was the natural Limit or ordering bound, to which opposites were necessarily related ; by their relation to which they became at once ordered in nature and intelligible to man ; and in which they were harmoniously reconciled. The metaphysics of Plato was very much influenced by this belief. The theory of Limit, and of the Mean as a limit, influenced the political theory of Aristotle very definitely. Not only does he believe in the limit of wealth and a limit to the size of the state : he believes in the 'mean' or mixed constitution, which is a blend of the two opposites of oligarchy and democracy, and in which the states of actual life may attain their true order or form.

(3) *The School of Vitality and Flux* : The school of vitality and flux was founded by Heraclitus. Little is known of the life of Heraclitus of Ephesus. He seems to have flourished in the early fifth century B.C. He published his work about 500 B.C., and it is said that instead of publishing the book, he deposited it in the temple of Artemis in his native city. His style of writing is prophetic and even in antiquity he was known as "the Dock". How wide, various and deep was his outlook, may be indicated by the fact that when we read today the fragments which have survived we are reminded sometimes of a Hebrew prophet, sometimes of an Oracle, sometimes of William Blake, sometimes of T. S. Eliot and sometimes of such modern thinkers as Hegel, Marx or Bertrand Russell.²⁰

Like his predecessors Heraclitus was also occupied to discover the reality of the physical universe. His contention was that the reality of the physical world was change. He argued that permanence was an illusion and that change alone was real. The universe is in a state of constant flux and it is impossible to step twice into the same stream. Creation and destruction, life and death are but the obverse and reverse sides of the same picture. Evolution or constant change is the law of the universe. The tree

or the stone, that is here today, is gone tomorrow; no underlying substance exists immutable through all eternity.

The originality of Heraclitus lies in coming to the conclusion that unity is variety, that what is fundamental is not a "stuff" but a process. The images that he gives of this process are those of a river or of a flame. Of these things it is possible to say both that they do and they do not persist. One cannot step into the same river twice, yet it remains a river. Nothing exists statically. There is no "stuff". Yet the process, or movement, of existence continues forever and identifiable shapes are visible in the stream or flame.

Heraclitus draws a parallel between matter and the soul of man; and the doctrine he propounds is, that fire is the single substratum of both. He also effects an identity between the physical constitution of matter and the physical constitution of the soul. There is an eternal content of fire and water; and fire is the principle of life, and water of death. "Fire is the father of all things"; but the duty of man and the world—the "justice" and the truth of both—is to cling to fire. For truth resides in the common and identical substance, which is fire in the natural universe, and fire in the soul of man. This vitalising fire permeates all things: to this "the thinker must cling, and not to his own wisdom, even as a city should to law". "All human laws are sustained by the one divine law, which is infinitely strong, and suffices, and more than suffices, for them all". It is in this way that Heraclitus tries to explain the human laws by the physical law of the world: the physical law vivifies the laws of the moral world. Laws are emanations of that one law: they are embodiment of the common substance of the soul and the world which is fire. "One man is as good as ten thousand to me, if he be the best". He who has kept his soul "dry" and clung to fire, is the natural ruler of man. Here we see something of a Platonic character in Heraclitus: the one man who has clung to the Common (who has seen, as Plato would say, the idea of the Good) is better than ten thousand others.²¹

(4) *The Eleatic School*: Another school, known as the Eleatic school, arose in the Western Greece. The founder of this school was Parmenides, a native of the Greek city of Elea in Southern Italy. He is said to have made laws, which were greatly respected by his native city, and to have come to Athens in his sixty-fifth year and conversed with the young Socrates. This must have been about

21. E. Barker, *op. cit.*, p. 52.

450 B.C. He is said to have been converted to the philosophical way of life by a Pythagorean to whom he afterwards built a shrine as a hero. He was the first logician, and may be described as the first philosopher in the modern sense of the word. His system depends entirely on logical deduction and has little or nothing in common with the speculative "science" of the Milesian or with what we may call the intuitive method of Heraclitus. It is to be noted that Plato, with his own respect for method, takes Parmenides more seriously than any of his predecessors.

As the other members of the different schools, so Parmenides was also occupied with the problem to discover the ultimate reality of the physical universe. He held that stability or permanence was the real nature of things ; change and diversity were simply illusions of the senses. By this he meant that underneath all the surface changes which go on around us, there are things which really endure. We cannot perceive them with our senses but we can discover their existence by reason. Sensory organs are always misleading us. They can never become our true guide. The eye by looking at the size of the star tells us that it is very small, but the reality is something entirely different. He, therefore, suggests that the reality of the universe can be understood and explained through reason only. It was by this doctrine of reason as a true and infallible guide that Aristotle was very much influenced. He too regarded reason as the highest faculty of man and the differentia to determine a savage and a rational being.

(5) *The Atomist School* : The solution to the controversy of permanence versus change was provided by the atomists. The founder of the Atomist school was Leucippus. Leucippus of Miletus was a contemporary of Melissos. He is said to have visited Elea, the headquarters of the "School" of Parmenides. According to Leucippus the ultimate reality of the physical universe were the atoms. He is, therefore, rightly described as the propounder of the atomic theory. Everything, he declared, was made up of atoms and the void (the void being nothing) in different arrangements. The atoms themselves are invisible, though they are not all of the same size. Yet, though they have magnitude, they cannot be divided. The reason for this is that they contain no space.

The atomic theory which was propounded by Leucippus received its fullest exposition at the hands of Democritus who lived in Abdera in the second half of the 5th century on the Thracian Coast. He, like Leucippus, held that the ultimate constituents of

the universe were atoms which were infinite in number, indestructible and indivisible. Although they differ in size and shape, but in their chemical composition they were exactly alike. These atoms are constantly uniting, separating and reuniting in different arrangements because of the motion inherent in them. They further believed that every individual object or organism in the universe was the product of a fortuitous concourse of atoms. The only difference between a man and a tree was the difference in the number and arrangement of their atoms. The philosophy of the atomist school represented the final fruition of the materialistic tendencies of early Greek thought. It seems to be strange that a philosopher like Democritus should deny the immortality of the soul and the existence of any spiritual world; who was a moral idealist and who had constantly reiterated that "good means not merely not to do wrong, but rather not to desire to do wrong".

It was in this way that the early Greek thinkers put forward their different points of view with regard to the reality of the physical universe. But the person, who actually hushed up all these theories and condemned them by a single stroke of his pen, was Plato. To Plato the ultimate reality of the universe was the idea. We shall explain Plato's theory of ideas later on when we discuss his political philosophy. It is sufficient to say here that to Plato the Idea did not mean a thought existing in the mind. Such a thought, he maintains, is as transitory as any event in the outside world. The Idea in Platonic sense is not part of the world of time and space. It is eternal. It is the final and independent reality. It is eternal, therefore it must be different from the object in which it appears.

The Greek philosophy took absolutely a different turn in the middle of the 5th century B.C. This century is to be specially marked by the rise of the common man, the growth of individualism, and the demand for the solution of practical problems. All this produced a great reaction against the old ways of thinking, the abstract theorisation of the physicists and the atomists. With the result that the philosophers during this period abandoned the study of the physical universe and turned to subjects practical and more intimately related to man. A sort of intellectual revolution had begun, and the exponents of this revolution were the Sophists.

CHAPTER 2

POLITICAL THOUGHT OF THE SOPHISTS

1. *A new reaction sets in* : After the attempts of the early Greek philosophers to solve the mystery of the physical universe, and to find a single basis of all its changes, a reaction was bound to come towards the study of man, a reaction proceeding from men more interested in human nature than in physical science.¹ The men who started this reaction were known as the Sophists. It is with the Sophists that the most characteristic and fertile development of Greek philosophy took its form. These teachers of wisdom looked within upon their own thought and nature, rather than out upon the world of things.² In their teachings we find the glorification of the individual, and political thought seems to be sufficiently developed to run into individualism. It is with them that a new and revolutionary spirit begins to appear.³

2. *Factors leading to this reaction* : The factors which gave birth to this revolutionary spirit are numerous and many. In her early days Athens was not a great and powerful city, and did not become a centre of intellectual activity. But it was in the later part of the 5th century B.C. that she became the leader of Greece on account of

1. Burnet, *Greek Philosophy*, p. 101.

2. Will Durant, *The Story of Philosophy* (New York), 1954, p. 3.

3. E. Barker, *Greek Political Theory*, p. 54.

the success with which she defeated the Persian invaders at the battle of Marathon in 490 B.C. After the Persian War, there was a great social and political awakening in Greece in general and in Athens in particular. The Persian War created both individual and national consciousness. Commenting on this Aristotle says, "Proud of their achievements men pushed further afield after the Persian Wars; they took all knowledge to be their province, making no distinction, but seeking wider and wider studies".⁴ All this made great changes inevitable. The political changes, which took place within Athens itself, opened a free field for popular discussion in the Assembly and the courts of law, and attached a practical value to ability to think and capacity to express one's thoughts. It was the work of the Sophists to satisfy these practical demands both for new ideas and for words through which they were to express those ideas.

3. *Who were the Sophists?* : The sophists were for the most part foreigners who lived in Athens as metics. They, like other foreigners, enjoyed social equality but were deprived of political privileges. They were the first professional teachers of ancient Greece. In most cases they either demanded, or received, fees for teaching, and their pupils were generally those who hoped to succeed in public life. They were primarily educators who performed in their day the great functions, that in the sixteenth to eighteenth centuries the Jesuits performed. They offered instructions to those who sought it. They were specially trainers in arguments. As trainers in arguments, they had a great commercial value among an argumentative, litigious people in a land of large juries and popular courts, they became the bagmen of learning, advertising that they would put a man wise for a few dollars.⁵ They were the contemporary popular exponents of the craze for mental efficiency and of how to begin life at forty. As disputers for any side of any question they became, by their "dialectic", the trainers of radicals.⁶ Most of the Sophists concentrated their attention on the teaching of rhetoric. By rhetoric was meant the art of arguing persuasively irrespective of the real merits of the case. The importance of this art arose from the fact that during the greater part of the 5th century B.C., Athens had a democratic constitution, and it was important for those who administered policy to be able to justify their actions before the

4. *Politics*, 1341.

5. George Catlin, *A History of the Political Philosopher*, p. 29.

6. *Ibid.*, pp. 29-30.

popular assembly. They were like the professors of today in as much as that they were engaged in training the youths of the country in popularising ideas and spreading knowledge and culture. It is rightly said that to go to the Sophists was to go to a university—a university which prepared young men for their after life, and this after life in Athens was obviously a life of political career. Mr. Gomperz has rightly called them as half professors and half journalists.⁷ They were called “wise men” by others. “Wise man” was the original meaning of the word ‘sophist’ although it now indicates usually some one who is clever and who can make worse appear the better reason. Socrates himself objected to the word “wise” to be used for the Sophists and he said, “Wise I may not call them for that is the name given to God alone. Lovers of wisdom and learning I may call them”. The Sophists taught young men not only the art of debating and depending their point of view, they also imparted to them the knowledge of the art of managing states and families rightly. They were not only teachers of various subjects, but they were philosophers as well.

4. *The General Characteristic of the Sophists*: The Sophists did not belong to any central establishment, and they did not share any common outlook which automatically made them members of a school.⁸ Many were engaged in the day-to-day business of teaching, but a few tried to work out a consistent social philosophy. Dr. Barker describes them as ‘half-teachers and thinkers, half disseminators of things new and strange, paradoxical and astonishing, which would catch the ear. With something of the charlatan they combined something of the philosopher.’⁹ Some of the Sophists were grammarians and they raised the most important question connected with the origin of language. The question was, “Whether the language was of human creation, or a natural thing?” Some of the Sophists were logicians, and they were mainly occupied with the discussion of things like “the Same” or “the Different”. Some of them had views about morals and politics, because everybody was interested in such things. According to Dümmler, the Sophists were “the historical romancers, the theosophists, the sceptics and the physiologists of their day”. Dr. Barker calls them as “versatile”. The climax of sophistic versatility was reached in the personality of Hippias of Elis, who once appeared at the Olympic games dressed in garments

7. Gomperz, *Greek Thinkers*, E. T., I. 413, 414.

8. A. R. M. Murray, *An Introduction to Political Philosophy*, p. 26.

9. Dr. E. Barker, *Greek Political Theory*, p. 58.

altogether made by his own hands, and who was at once poet and mathematician, my theologist and moralist, student of music and connoisseur in art, historian and politician, and a valuable writer in every capacity.

Although the Sophists did not belong to any particular school of thought, but their importance lies in the fact that they stood for a new point of view as compared with the hitherto prevailing interest of philosophy in the discovery of a permanent substratum for physical change.¹⁰ On its positive side this new point of view was simply humanism—the twisting of knowledge towards man as its centre. On the negative side it implied a kind of scepticism towards the older ideal of a detached knowledge of the physical world.¹¹ The Sophists abandoned the study of the physical universe, and man becomes the centre of attraction with them. It is this interest that they aroused in man, which continues to dominate the entire Greek thought. All their art, literature, philosophy and religion became the representative of man. That is why the Greeks are known as great humanists. Cicero was justified in telling his son who was starting for Athens: "You are going to visit men who are supremely man". In all Greek literature there is nothing more Greek than Sophocles' noble line: "A wondrous thing is man none more wondrous". "Other nations", it has been well said, "made gods, kings, spirits: the Greeks alone made men".¹² The start that the Sophists gave to the humanistic study found its culmination in the writings of Socrates, Plato and Aristotle.

5. *Political ideas of the Sophists*: The Sophists had ideas about morals and politics. There is hardly a problem or a solution in our current philosophy of mind and conduct which they did not realize and discuss. They asked questions about anything: they stood unafraid in the presence of religious or political taboos: and boldly commanded every creed and institution to appear before the judgment-seat of reason.¹³ In politics they were divided into two schools. One, like Raussian, argued that nature is good, and civilization bad; that by nature all men are equal, becoming unequal only by class-made institution; and that law is an invention of the strong to chain and rule the weak. Another school, like Nietzsche, claimed that nature is beyond good and evil; that by nature all men are unequal; that

10. G. H. Sabine, *A History of Political Theory*, p. 37.

11. *Ibid.*, p. 37.

12. C. L. Wayper, *Political Thought*, p. 4.

13. Will Durant, *The Story of Philosophy*, p. 3.

morality is an invention of the weak to limit and deter the strong; that power is the supreme virtue, and the supreme desire of man; and that of all forms of government the wisest and most natural is aristocracy.¹⁴ According to Prof. G. H. Sabine, the Sophists had no philosophy; they taught what well-to-do students were willing to pay for.¹⁵ We, however, do not agree with Prof. Sabine that the Sophists had no philosophy. Some of them, and specially Protagoras, attempted to explain the origin and nature of the state. Others had definite theories of love, justice and morals etc. We shall not be doing any justice to the Sophists if, like Prof. Sabine, we pass a judgment that the Sophists did not develop any political philosophy. In order to decide whether the Sophists had any political philosophy, we examine the views of some of the Sophists.

1. *Protagoras of Abdera (500-430 B.C.)*: The greatest of the Sophists was Protagoras whose famous dictum was "Man is the measure of all things".¹⁶ It contains the entire essence of the Sophist philosophy. He subordinated all goodness, truth, justice and beauty to the needs and interests of man himself. He held that there are no absolute truths or eternal standards of right and justice. In view of the fact that sense perception is the exclusive source of knowledge, there can be only particular truths valid for a given time and place. Morality similarly varies from one people to another. The Spartans encouraged adultery in certain cases on the part of wives as well as husbands; whereas the Athenians secluded their wives and refused even to allow them a normal social life. "Which of these standards is right?" he asks. Neither is right in any absolute sense because there are no absolute canons of right and wrong eternally decreed in the heavens to fit all cases; yet both are right in the relative sense that the judgment of man alone determines what is good. "Expressed in modern terms, the theory of Protagoras is that moral beliefs are purely subjective, but that they discharge a useful function in upholding the law and order which are the basis of a civilized society. These will be assured if a coherent set of beliefs is generally accepted throughout a given society, and if that acceptance is maintained and strengthened by effective propaganda."¹⁷

It was, in this way, that Protagoras laid twisted all knowledge towards man and man was made its centre "Let everyman occupy

14. *Ibid.*, p. 3.

15. G. H. Sabine, *op. cit.*, p. 37.

16. Plato, *Theaetetus*, p. 152.

17. A. R. M. Murray, *op. cit.*, p. 27.

with himself," said Protagoras. He emphasised that the greatest study of mankind was man himself. "Study yourself and make yourself virtuous," he further emphasised. It is, therefore, clear that Protagoras was not merely an individualist but also a moralist.

Protagoras had views not only about the individual and morals, he had also some views about political institutions. He believed in the origin of the state from individual needs, with the doctrine of the supremacy of a general law. In his theory of social origins he distinguished three stages in human development.

1. The first stage was something like the state of nature in which men knew the arts of industry and agriculture, but they did not know the political art of civic life. There were no cities, men lived in solitary dwellings and very frequently they had to be the prey of the beasts. It was this sheer need that drove them to the foundation of civic communities.

2. Thus they attained a second stage of development in which by founding cities, they sought union and preservation. In the second stage of development, too, they had no knowledge of political art, and each injured his fellows till they were scattered and destroyed.

3. Then came the third stage. Zeus sent Hermes down to men, bringing Reverence and Justice to be principles of order and bond of union in cities of a new foundation, and thus, the state finally came into existence. The state was thus held to be a spiritual society, divinely sanctioned and held together by the spiritual bonds of Reverence and Justice. Men learnt reverence and justice through the instrumentality of the state and hence it came to be regarded as the supreme organ of the education of its members. The individuals by their education in the spirit of laws were raised to the stature of a full humanity. "The state was thus the true educator and its whole function was one of education and civilisation; the individual educator, father or mother, teacher or Sophist—is only the agent of the community and the organ of the common will".¹⁸ It would be true to say that he anticipated Plato in teaching the doctrine of the educational state resting on the divine basis of justice and he conceived the state as an ordinance of God rather than as a creation of men.

Besides explaining the origin of the state, Protagoras had something to say about human laws. If we study his teachings, we will

18. Natrop, *Plato's State and the Idea of Social Education*, p. 7.

find that to him there was no antithesis between Nature and Law. Law he regarded as a higher thing due to divine sanction, which rescued man from a state of Nature in which they were no better than beasts. Although Protagoras was a great individualist, but in this particular respect he was definitely a worshipper of the state. "Sophist as he was, Protagoras was thus an apostle of the state, who preached the sanctity of its laws and the equality of its members".¹⁹

2. *Antiphon* : The antithesis between Nature and Law, which was rejected by Protagoras, was accepted by the Sophists of the latter century. Among these Sophists the name of Antiphon is worth mentioning. Antiphon who lived in the latter part of the 5th century B.C. held that men were subject to Laws of Nature in the same sense as inanimate objects. Just as all material bodies must conform to the law of gravity, so all human beings must feel and will think in accordance with certain psychological laws. Of all these psychological laws, according to Antiphon, the most important is the desire to live and be happy and to avoid death and unhappiness. But the laws of society very often interfere with the operation of this Law of Nature. They interfere because they restrain people from performing acts, e.g. stealing which might bring them happiness. Antiphon admitted that there was a sound reason for observing the laws of society. To break them would involve the shame of conviction and the pain of punishment. It is obvious that these consequences are painful to the individual, and to court them is, therefore, to violate the fundamental Law of Nature. But if an individual increases his happiness by breaking the Law of Society and avoiding detection and punishment, it is, according to Antiphon, in accordance with the Law of Nature for him to do so. Antiphon regards a coercive law as opposed to the natural law of life. He argues that human laws were set rules of behaviour which contradict Nature's Laws. They are based upon covenant and convention. They are the product not of truth but of mere opinion. They bid us to do things which are unnatural because they are unpleasant and make life only poor and miserable. Hence obedience to laws is wrong because laws are contrary to Nature which is the standard of right. But Antiphon admits that sometimes obedience to the law may be expedient but it is seldom even that. He who looks to the law for redress is generally deceived because the law courts are seldom capable of giving proper redress. The aggressor has as good a chance of making good his case,

19. E. Barker, *op. cit.*, p. 63.

and persuading his judge, as the injured party. In this way we find that the conventional law of the Greek city-state receives a ruthless condemnation at the hands of Antiphon.

Although there seems to be a lot of truth in what Antiphon has said, but the weakness of his theory is that it ignores the inevitable social relationships in which a man must live. The laws forbidding theft and murder may at times stand in the way of what a given individual would like to do ; but they also prevent other people from doing to him what would undoubtedly be to his disadvantage. Indeed the majority of civil laws are of potential advantage as well as disadvantage, to an individual.²⁰ Antiphon's principle might indeed have a useful application in a society ruled by a dictator, ready to sacrifice his subjects' interests in pursuing his own, but apart from such circumstances the principle is fraught with grave dangers to the interests of both the individual and society.²¹ There is no doubt that much can be said on both sides of the case. But in spite of the great flow and frailty of the theory, realism, on the whole, remains the note of Antiphon's thought.²²

3. *The Sophist Callicles* : The theory propounded by Callicles resembles very much with that of Antiphon. Callicles held that Nature was governed by the law of force, while civil and moral laws were normally the result of contracts made by the weak to defraud the strong of what their strength would otherwise secure for them. In a state of Nature the survival of the fit would be the effective rule of life, whereas the laws of society frequently reverse this principle and compel the strong to assist the weak. Callicles thought that his theory was supported by the fact that in both the animal kingdom and human society, the rule of force was the operative principle. Hence, Callicles concludes that the rule of force is natural and should not be opposed by the laws of society. It is, however, not clear, from the writings of Callicles, whether he was defending a naturalistic theory of morality by defining 'right' in terms of 'might'. The doctrine of 'Tiger-rights'—to borrow Huxley's term, or whether he was merely arguing that, as a matter of fact, it is morally desirable that the strong should get their way. The fact that he tried to deduce what ought to happen in human society from what does happen in the animal kingdom, suggests that the second interpretation is probably

20. A. R. M. Murray, *An Introduction to Political Philosophy*, p. 28, 2nd edition, 1959.

21. *Ibid.*, p. 29.

22. E. Barker, *Greek Political Theory*, p. 69, 5th edition, 1962.

correct, and that his theory is, therefore, not a naturalistic one ; but in either case the inference from what does happen to what ought to happen is necessarily fallacious.²³

4. *Thrasymachus of Chalcedon* : The theory attributed to Thrasymachus by Plato in the Republic is completely naturalistic. Thrasymachus who was another Sophist of the late 5th century B C. was introduced by Plato in Book I of the Republic as a supporter of the theory that "justice is the interest of the stronger party".²⁴ The theory of Thrasymachus had made two things quite clear. Firstly, that justice, whatever it is, was simply for the ruler's interest. The subsequent discussion makes it quite clear that by this he meant that whatever the strongest individual or group in a community does in pursuit of his or their interests defines what is meant by 'right action'. There neither is nor can be any conflict between what the 'sovereign' power in a community does and what that community recognizes to be right since the action of the sovereign power, or the actions which it approves, are what is meant by right actions. Minority groups may indeed challenge this conception of right actions, but their alternative conception cannot be effective unless and until they can compel the majority to accept it.²⁵

Secondly, in connection with this theory, he held that injustice was better than justice. It was proved by Thrasymachus by advancing the following logic. He said, "To be just is to be means to the satisfaction of another. To be unjust is to act for the satisfaction of oneself. But the real standard of action for any sensible man would be to satisfy himself. And, therefore, 'injustice' and not 'justice' is the real virtue and the true prudence". It was later on that this theory of Thrasymachus was taken up by Plato and beaten hollow while defending his own theory on justice.

5. *Gorgias of Sicily* : Gorgias of Sicily was a great orator and essentially a teacher of rhetoric. He attacked the prevalent physical philosophy. With moral and political philosophy Gorgias did not concern himself. By seeking to prove its barrenness he helped to suggest that the proper study of mankind was man. The climax of his philosophy was reached, when he attempted to prove the impossibility of the existence. "Nothing exists," he declared, "if any thing did exist, it could not be known ; if a man should chance to apprehend, it would still be a secret ; he would be unable to communicate

23. A. R. M. Murray, *op. cit.*, p. 29.

24. *Republic*, I, 337 (translation by F. M. Cornford).

25. A. R. M. Murray, *op. cit.*, p. 30.

it to his fellows. His assertion had no reference to morality, and conveyed no suggestion that there was no moral truth, or that might was the only right in the moral world.

6. *Other Minor Sophists* : There were other minor Sophists of the 5th century B.C. Among them Prodicus of Ceos and Hippias of Elis deserve some mention. Prodicus was merely a teacher of ethics and inventor of grammar. Hippias of Elis was a unique figure among the Sophists, who was famous for his whimsical tendencies and claims to universality of knowledge. Hippias of Elis did not develop any set principle or theory. But he had some views about philosophy and justice. To him the just and the legal were identical. He also talks about the distinction between positive law and the law of nature. Natural law, according to him, was universal and divine. Positive law, on the contrary, is essentially local and human.

7. *Plato's Condemnation of the Sophists* : The Sophists enjoy the honour of receiving a ruthless condemnation at the hands of Plato. There were, perhaps, mainly two reasons which led Plato to condemn and criticise them so bitterly. The one was the extreme individualism preached by the Sophists of which Plato was a great enemy. The other reason was that the Sophists as teachers of young men in Greece accepted payment for teaching. It was this practice of accepting payment for teaching that Plato regarded as highly derogatory. One thing is to be particularly noted in this connection, that all Sophists have not been the victims of his attack. Protagoras and Gorgias seem to have received a special treatment at his hands. He speaks very highly of them. But on the whole his verdict is very unfavourable. He hates them, ridicules them and finally condemns them. We quote here some of the lines from Plato's account of the Sophists which might be of some interest to students of Greek political theory. Writing about the Sophist, in his fourth Dialogue. Plato writes, "He who belongs to the dissembling section of the art of making contradiction, imitator of appearance, and one who has developed from image making, juggler of words, a creation human but not divine and any one who affirms the real Sophist to be of this blood and lineage says the very truth".

8. *The Importance of the Sophists* : It can be said with some justification that there was much that was really admirable in the teachings of the Sophists. They condemned slavery and the false notion of racial exclusiveness of the Greeks. They came forward as the champion of liberty, the rights of the common man and the practical and progressive point of view. The most important work

done by the Sophists was the development of philosophy which included not only physics and metaphysics but ethics, politics and epistemology also. Cicero put it as "they brought philosophy down from heaven to the dwellings of men". They made politics a practical study. Plato himself borrowed many of his ideas from the writings of the Sophists. The philosophy and writings of Socrates were very much inspired by the individualism and the general teachings of the Sophists, which in turn shaped and influenced the political ideas of Plato.

CHAPTER 3

THE POLITICAL IDEAS OF SOCRATES

"Gentlemen of the jury—Acquit me or convict me. I shall never mend my ways even if I am to die a thousand deaths".

—*Socrates*

1. *Life and times of Socrates*: Born in Athens about 469 B.C., Socrates was the son of a stone mason. His mother was a midwife. Making a reference to this he says, "I am following the occupation of my mother in as much as I bring about the birth of new ideas". He was given the customary education of an Athenian youth and he embarked on life as a sculptor which in those days was regarded to be a skilled trade and an artistic calling. He also served in the army and fought as a heavy-armed soldier in the Athenian campaigns in Thrace and at the battle of Delium. He also served as a member of the government in minor capacities. At the age of 65 he became a member of the Council. He was also a member of the Committee of the Council, which was presiding in the Assembly on the day on which nine of the Athenian generals were to be condemned in a body, by a single vote for the neglect of their duties. Such a condemnation *en masse* was contrary to a rule of the Athenian constitution, and Socrates, alone among all the members of the committee, refused to concur in putting to the Assembly such an unconstitutional vote. A year later, when he was ordered by Thirty Tyrants, who were ruling Athens at that time, to arrest and

bring for execution a citizen whom they had prescribed, he refused to concur in what he regarded as an illegal order. "A steady discharge of civic duty, and a steady refusal to go outside the bounds of civic law, are thus the two features which mark his life as an Athenian citizen".¹

The family life of Socrates was not very happy. He was never at home looking after his family or his vocation, and he took no thought of the morrow. He ate when his disciples asked him to honour their tables: they must have liked his company for his subtle reasoning and must have seen in the soul of the master images of fascinating beauty to remind them of the absolute perfection of God.² He was not so welcome at home for he neglected his wife and children, and from Xanthippe's (his wife) point of view he was good-for-nothing idler who brought to his family more notoriety than bread.³ Xanthippe liked to talk almost as much as Socrates did. But Socrates was all the time busy with all sorts of people—soldiers, prostitutes, priests, students and statesmen, discussing with them all sorts of questions about morals and politics. She, therefore, could not have the sufficient time to talk to her husband to her utmost content. This was the main reason of their strained relations. But both of them seem to have had some dialogues which Plato failed to record. But in spite of these strained relations, she loved him, and could not contentedly see him die even after three-score years and ten.⁴

2. *Socrates as the Godfather of Western Philosophy*: Socrates was the Godfather of western political philosophy, as well as the founder of speculative ethics.⁵ He was the representative of an element always present in philosophy, the sceptical or enquiring spirit which never takes things on trust, but requires that everything shall approve itself to reason.⁶ What makes a philosopher is the presence of this spirit, balanced by the conviction that, though everybody must find the truth for himself, the truth is to be found. His only claim to wisdom was that, unlike others, he was profoundly conscious of his own ignorance. The starting point of his philosophy

1. E. Barker, *Greek Political Theory—Plato And His Predecessors*, 5th edition, 1952, p. 86.

2. G. W. Bostford, *A History of Greece* (1899), p. 225.

3. Will Durant, *The Story of Philosophy* (1954), 4th edition, New York, p. 5.

4. *Ibid.*, p. 5.

5. George Catlin, *A History of the Political Philosophers* (1950), p. 33.

6. R. L. Nettleship, *Lectures on the Republic of Plato* (1958), pp. 14-15.

was—"One thing only I know, and that is that I know nothing". He regarded it as his duty to reveal to others, by means of his own particular method of cross-examination, exactly how ignorant the other people were.

Philosophy according to him begins when one learns to doubt—particularly, to doubt one's cherished beliefs, one's dogmas and one's axioms. Who knows how these cherished beliefs became certainties with us, and whether same secret wish did not beget them, clothing desire in the dress of thought? There is no real philosophy until the mind turns round and examines itself. "Grothi Seanton"—know thyself, was the cry of Socrates.

There had been philosophers before him, of course: strong men like Thales and Heraclitus, subtle men like Parmenides and Teno of Elea, seers like Pythagoras and Empedocles; but for the most part they had been physical philosophers; they had sought for the nature of external things, the laws and constituents of the material and measurable world. That is very good, said Socrates: but there is an infinitely worthier subject for philosophers than all these trees and stones, and even all those stars; there is the mind of man. The same thing, later on, was perhaps repeated by William Hamilton in his 'Logic and Metaphysics':

*"On earth there is nothing great but man,
In man there is nothing great but mind."*

"The noblest of all investigation is the study of what man should be and what he should pursue," this was maintained by Socrates. He regarded "unexamined life as unlivable for a real human being." It was with this determinism that he went searching "into the human soul, uncovering assumptions and questioning certainties".⁷ If men discussed too readily of justice, he asked them quietly, what is it? What do you mean by these abstract words with which you so easily settle the problems of life and death? What do you mean by honour, virtue, morality, patriotism? What do you mean by yourself? It was with such moral and psychological questions that Socrates loved to deal. Some, who suffered from this 'Socratic method', this demand for accurate definitions, and clear thinking, and exact analysis, objected that he asked more than he answered, and left men's minds more confused than before. Nevertheless he bequeathed to philosophy two very definite answers to two of the most difficult problems—what is the meaning of virtue? and

7. Will Durant, *op. cit.*, p. 6.

what is the best state ?⁸ To foster enquiry in such things he wanted to develop an age of reason. The old aristocratic order had imposed a discipline and an education upon the citizen. It had trained him for war and given him a rigid standard of right and wrong. "The age of reason," he said, "must develop a rational system of education, if it was to bring happiness and not misery to men".

Socrates called this new education of which he dreamed as philosophy—the search for wisdom. Athens must be taught not to accept traditional morality, but to discover rational principles of conduct and to base its social life upon them. The old education had consisted in putting into the mind of the young the orthodox ideas about right and wrong, the new philosophy would try to develop the individual reason in each man, so that he only accepted those ideas which he saw to be true and rejected all wickedness, not from fear of punishment but because he understood its folly. Thus, philosophy, according to Socrates, must be the self-discipline of reason, and it had two main tasks : (1) to examine and to reject those opinions which it found to be false, and (2) to substitute for these false opinions a new set of principles acceptable to reason.⁹ Thus, Socrates believed that the true task of philosophy was not to define words but to discover reality. In fact what the scientists and mathematicians were doing for the world of nature, philosophy must accomplish for human society.¹⁰ But the philosophical discipline is never popular. It administers a great torture to which the human mind can be subjected. It hunts out our dearest prejudices and shows that they have no rational foundations, and it exposes what we thought to be a logical theory as a mass of contradictions. Although, it is directed to the development of the individual, it does not satisfy our ordinary ideas of self-realization, since it calls on each of us to relegate most of his personal interests to second place. It does not press for the free development of individual tastes, but demands that the individual should voluntarily regulate his life by the dictates of reason. Socrates believed that his discipline alone could save Athenian democracy from collapse.¹¹

3. *The Method and Doctrine of Socrates* : Socrates taught by the method of question and answer, which was known as "dialectic". "His method of reasoning was inductive and utterly

8. Will Durant, *op. cit.*, pp. 6-7.

9. R. H. S. Crossman, *Plato To-day*", 2nd edition (1959), London, p. 50.

10. *Ibid.*, p. 51.

11. *Ibid.*, p. 52.

irreverent.”¹² “With the frost of his tantalizing irony he nipped many a promising blossom of political omniscience”.¹³ He cared for nothing but facts and sound reasoning based on facts. His cross-examination was a development and clarification of the dialectic of Zeno.¹⁴ First he would take the “hypothesis” of the person under examination—a conventional definition, say, of courage or of justice—and by testing it with the aid of examples taken from real life, would prove it to be inadequate or self-contradictory. The process would lead to another “hypothesis”, which would be examined in its turn and, as a rule, also rejected. So far, the method can be described as negative. But its aim is very positive indeed. With charm, with irony, but with quite tremendous intensity of emotion and of thought Socrates is really trying to find out what “courage” or “justice” is. He will test and, often, reject any answer that is proposed ; but he is not engaging in “eristics” ; he believes that there is an answer and he believes too that it is of the utmost importance to find it.¹⁵ Men, he taught, must be guided exclusively by knowledge ; true knowledge, which penetrates beneath the surface of things, disregards the motives and interests of passing periods and personalities, and arrives at truth that is universal and eternal.¹⁶ Aristotle declares that Socrates is important and original for two reasons : the definition of general concepts and the use of the inductive method.

Socrates is not only famous for his inductive or dialectical method, he is also very well known for his doctrine—which is known as the doctrine of two knowledges. Knowledge and virtue, according to Socrates, are identical. That is why he declares that “knowledge is virtue”. He held that there were two kinds of knowledge—one was apparent and another was real. He said that it was the duty of all men to find out true knowledge and they could do so only if they “knew themselves”—that is to say if they knew how much they really knew. If knowledge is virtue and there are two kinds of knowledge, there are two kinds of virtue as well. There is the virtue which is based on knowledge and there is the virtue which is simply based on opinion. The virtue based on knowledge is secure, while

12. C. C. Maxey, *Political Philosophies*, 5th edition (1956), p. 37.

13. W. A. Dunning, *A History of Political Theories : Ancient and Medieval* (1902), p. 22.

14. Rex Warner, *The Greek Philosophers*, 1st edition (1958), p. 54.

15. Rex Warner, *op. cit.*, p. 55.

16. C. C. Maxey, *op. cit.*, p. 38..

the virtue based on opinion is insecure and may be forgotten. The virtue which was based on knowledge was comprehensible and it could be taught. All this explains the significance of the Socratic saying that, "virtue is teachable". "It is in this sense that he was a moral teacher. And it was just because he sought to be a moral teacher that he was discontented with the goodness which, resting on no principle and incomprehensible in any definition, could not be taught".¹⁷

4. *Socratic Philosophy of 'Know Thyself'* : Socrates was a true discoverer of the self. The tendency of the Sophistic teaching was "Assert yourself", the importance of Socrates' life and work lies in the motto—"Know Thyself". Its equivalent in our Hindu philosophy is "Tat Twamasi". According to him the respect of the self, the knowledge of self, and control of the self was the greatest dharma or religion. As he says :

*"Self reverence, self knowledge, self control
These three alone lead men to sovereign power".*

It is perhaps the same philosophy of the self which is contained in the pages of Bhagwad Gita where the realization of the moral self is considered to be the highest duty of man. Socrates ascribed little value and displayed little interest in the physical sciences. But in a profound sense he believed in science, the science of dialectic, the clear, independent and ultimate thinking out of meaning of one's own thoughts. "Know Thyself" was an old Greek maxim to which Socrates alludes. Know thine own mind and meaning, was Socrates interpretation of it. "To the promotion of that logical clarity and intellectual honesty Socrates devoted his life in the conviction that on these depended moral health and political salvation".¹⁸ It was in this way that he wished men to analyse carefully the duties of life and to arrive at a clear conception of their meaning. It was with this development of moral health that the political salvation was closely bound up. It was, in this way, that ethics and politics were blended together in his case. It was this tendency of his writing that went a long way in influencing the political ideas of Plato.

5. *His Attack on Democracy* : The teachings provided by the Sophists gave to men techniques for getting what they wanted, and the Sophists were interested not in the spiritual health of their

17. E. Barker, *op. cit.*, p. 90.

18. *The Philosophy of Plato*, The Jowett Translation, edited and with an introduction by Irwin Edman, p. 8, 3rd edition (1956), New York.

pupils but in providing something useful for which people were prepared to pay. Socrates agreed with the conservatives that such education was no substitute for the old-fashioned discipline of aristocratic Athens. It put new power into the hands of the intellectual, but it gave him no principle for the use of that power. For this reason it produced a reckless individualism and disregard for the good of the community. Once the restraints of morality and religion had been destroyed, the individual citizen was free to do as he pleased; and education was merely embittering the social conflict instead of healing it. This, in the view of Socrates, was the disease from which Athenian democracy was suffering. Class-conflicts and capitalism were the results of a laissez-faire philosophy of individual licence and if reason could not produce a new self-discipline, then the belief that might is right would rule in Athens. The Athens of his day were not governed by laws, which were based on wisdom, and which could correspond to universal reason. The reins of administrative machinery had fallen into the hands of those who had never given any thought to the meanings of politics. It was for these reasons that he made a scathing attack on Athenian democracy. To him, it seemed, that this was run by a flock of sheep. To him it appeared a rule of complete ignorance and selfishness. With such revolutionary criticism, Socrates shook the whole fabric of governmental machinery. His condemnation of democracy brought in its train a large number of obloquies against him as democracy had gone deep into the hearts of Athenians.

6. *Socratic doctrine of Aristocracy of Intellect* : The basic premise of Athenian democracy was that all citizens were equal and equally qualified to take part in government. He attacked the democratic theory of equality among men and its choice of officials by lot, and taught that the state should be governed not by aristocracy of birth but by aristocracy of intelligence. He objected to the rule of a sovereign Assembly in which every tinker and tailor, cobbler and fowler had an equal voice in public affairs with those who really understood something of the art of politics. He was even a critic, as we learn from Meno and the Gorgias, of the Athenian statesmen who guided the Assembly. He describes them as false shepherds, who fill the city with "harbours and docks and walls and revenues", seeking popularity by indulging the populace, but forgetting the things which belonged to justice and temperance. In opposition to these things, Socrates taught the need of an expert knowledge, based on first principles, for the conduct of political

affairs.¹⁹ Here we may see the germ of that doctrine of specialization which is expounded by Plato in detail in the Republic.²⁰ He condemns Athenian Government as a chaos where there is no thought, and the crowd decides in haste and ignorance, to repent at leisure and in desolation. Is it not a base superstition, he asks, that mere numbers will give wisdom? On the contrary is it not universally seen that men in crowds are more foolish and more violent and more cruel than men separate and alone? Is it not shameful that men should be ruled by orators, who "go ringing on in long harangues, like brazen pots which, when struck, continue to sound till a hand is put upon them?"²¹ Surely the management of a state is a matter for which men cannot be too intelligent, a matter that needs the hundred thoughts of the finest minds. How can a society be strong, he asks, if it is not led by its wisest men? He contends that only those possessing the deepest wisdom and the highest virtue should be entrusted with the administration of government.

7. *The Conservatism and Radicalism of Socrates*: Paradoxical though it may appear, Socrates was both a conservative and a radical at the same time. In him we find a very strange combination of these two opposite forces of human temperament. He was a loyal son of Athens and had served the Athenian army very faithfully and enthusiastically. He had also served as a member of government. The laws of his country were very dear to him and he attached a sort of divinity and sanctity to them. The laws were not to be disobeyed except for the sake of righteousness. He was put in a prison wherefrom escape was very easy; but he did not leave the walls of the prison house lest he should be condemned in the eyes of the Athenian laws. He did not think any rule of natural justice outside the law. He regarded law as just and therefore whatever was commanded by that law, whether right or wrong, was just. Both ruler and citizen were subject to the authority of law. The Sophists regarded it as servant of the ruler, but to Socrates it was their sovereign master. At one place he defines law as "the agreement of the citizens, defining what should be done, and what should not be done". He, therefore, declared that it was profitable to obey the law and between public duty and private interest there

19. E. Barker, *op. cit.*, p. 91.

20. *Ibid.*, p. 91.

21. Plato's *Protagoras*, Sect. 329.

was no conflict. This is a sufficient proof of his being a great conservative.

Socrates was not only a conservative, but he was a great radical. He condemned very strongly the authority of his day, attacked the Athenian democracy and advocated the rule of wisdom in its place. He had criticised the lot, spoken with all disrespect of the Assembly, and prepared the Athenian youths to revolt against the political and moral degeneration of the Government.

8. *The Death of Socrates* : With such revolutionary ideas he had shaken the very foundation of the Athenian Government. "King Demos (the people) could not endure such a pestiferous gad-fly".²² Prosecution charges of impiety and corrupting the youths of Athens were levelled against him and the angry crowd voted for his death, decreeing that he should drink the hemlock. The reasons of his death are interpreted by different people in different manners. "He was accused of refusing to worship the gods whom the state worshipped, of introducing other and new divinities, and of corrupting the youth ; and on that accusation he was condemned".²³ The accusation is two-fold. One is religious : the other is apparently based on moral, but is perhaps in reality based on political grounds. The real sting of the accusation lies in the latter. "It was the moral teaching of Socrates, and the political implication of that teaching, which was the true gravamen of his accusers".²⁴ His teaching had inspired the counter-revolution, and his theology had produced not a puritan revival, but a ruthless and cynical gang of wealthy adventurers. The fact, that he had denounced their philosophy of force, did not make any material difference. His disciples had welcomed his attack on current morality, and disregarded the positive side of his creed.²⁵ "The responsibilities of the teacher are great. He must consider not only whether his teachings are true, but what effect they will have on his pupils. In the eyes of the practical politician it is no justification of Socrates as a teacher to show that he denounced wickedness, if his virtuous teachings, in fact, promoted it. However blameless his life and pure his motives, the effects on Athenian life had been disastrous. When we remember this, we cannot blame the jury which found him guilty of corrupting the youth".²⁶

22. C. C. Maxey, *op. cit.*, p. 38.

23. E. Barker, *op. cit.*, p. 98.

24. *Ibid.*, p. 98.

25. R. H. S. Crossman, *op. cit.*, p. 59.

26. *Ibid.*, p. 59.

9. *The place of Socrates in the history of Political Thought* : Socrates occupies a unique place in the history of political thought. His memory is more powerful in his death than in his life. "To the early Christian Fathers he was a 'Christian before Christ', the saint and martyr of philosophy".²⁷ He preached the rationality of man and of God, and he urged that unless we believe in these two things there can be no sound education or happy society. His life had shown that this belief is insufficient and that without knowledge of the principles of human conduct, and of the nature of God, it can become positively harmful. But he believed that his death would inspire others to discover those things, the existence of which he could only take on trust.²⁸ He was the first man who really saw what intellectual integrity implied and yet preferred it to everything else. He was the spirit of inquiry, incorruptible, intolerant of sham, greedy for every variety of human experience, insatiable discussion, ironic and yet serious.²⁹ He raised the fundamental question of the possible conflict between political and ethical standards of right, and by his death demonstrated his conviction that the individual should be guided by what his reason taught were fundamental precepts, rather than by the laws of the state.³⁰ He was the first martyr of philosophy who proclaimed the rights and necessity of free thought, upheld his value to the state, and refused to beg for mercy from the crowd whom he had always condemned.³¹

He was a strong critic of the current conventional mores and conventional confusions which passed for wisdom in the market place. Socrates' great concern was the love and pursuit of wisdom, and that seemed to him, too, the chief and fundamental concern of the state. In his own words (*Apology*, Jawett), when on trial by a panel of fellow Athenians for corrupting youth, inventing new gods and denying the established gods of the city, Socrates thus addressed his judges, "For if you kill me, you will not easily find a successor to me, who am, if I may use a ludicrous figure of speech, a sort of gadfly, given to the state by God ; and the state is a great and noble steed, who is tardy in his motions owing to his very size, and requires to be stirred to life. I am that gadfly which God has attached to

27. George Catlin, *op. cit.*, X. 30.

28. R. H. S. Crossman, *op. cit.*, X. 65.

29. *Ibid.*, pp. 65-66.

30. R. G. Gettell, *History of Political Thought*, 15th edition (1951), p. 43.

31. Will Durant, *op. cit.*, p. 9.

the state, and all day long and in all places, am always fastening upon you, arousing and persuading and reproaching you". He vehemently criticised the characteristics of Athenian democracy—the use of lot; the composition of the Assembly and the ignorance of the Athenian statesmen, which he regarded as something contrary to the rule of reason. He had a firm faith in certain fundamental principles—the immortality of the soul, the objectivity of moral standards, and the reality of an unchanging world behind the world of sense and time.³²

He preached the sovereignty of knowledge; and the doctrine of the sovereignty of knowledge might easily become, in its political application, a doctrine of enlightened despotism.³³ It was this doctrine of enlightened despotism that was adopted later on by Plato in his *Republic*. Such a theory of enlightened despotism was necessarily inimical to democracy; it might also become inimical to the rule of law. This again is a conclusion which, for a time at any rate, Plato was ready to draw.³⁴ He condemned the government of ignorance in the interest of selfishness. For the proper guidance of the state, he said, it was necessary that the wise should rule. Politics is a matter for thought, and government is a concern of the wise, he declared. Plato was very much influenced by these Socratic principles. "It may very well be, then said, that some considerable measure of the political principles developed in the *Republic* really belonged to Socrates and were learned directly from him by Plato".³⁵

He regarded the state as a natural and necessary form of human association. He revered the laws of the city-state and regarded them only less sacred than the commands of God. His importance with regard to this lies in the fact that he indicated the existence of a "law" more genuine than that of any political organization. "The greatest lesson that we learn from the life of Socrates, however, is that for the sake of conscience", as Dr. Barker says, "a man must rise even against Caesar". With his life of nobility, and great philosophical teachings, this Coffee-house politician, as George Catlin describes him, was, and is, one of the greatest figures of European civilization.

32. A. R. M. Murray, *An Introduction to Political Philosophy*, 2nd ed., (1959), p. 36.

33. E. Barker, *op. cit.*, p. 97.

34. *Ibid.*, p. 97.

35. G. H. Sabine, *A History of Political Theory*, 3rd edition (1949), London, p. 42.

CHAPTER 4

POLITICAL PHILOSOPHY OF PLATO

"Plato is father to the idealists, romanticists, revolutionists and utopians of political philosophy. All who believe in new worlds for old are disciples of Plato."

—C. C. Maxey

1. *The Life of Plato*: Plato the philosopher, politician, mathematician, poet, reformer, cousin of Critias and kinsman of Solon, was born in 427 B.C. and died in 347 B.C. The name of his father was Ariston who was a descendant of Codrus. He was born in an aristocratic family of Athens, hence his early name was Aristocles which later on was supplanted by the nickname "Plato", because of the breadth of his shoulders and the expanse of his brow. He had excelled as a soldier, and had twice won prizes at the Isthmian games. "Philosophers are not apt to develop out of such adolescence. But Plato's subtle soul had found a new joy in the "dialectic" game of Socrates; it was a delight to behold the master deflating dogmas and puncturing presumptions with the sharp point of his question".¹ It was, therefore, natural for him to join the Socratic circle in 407 B.C. and learn philosophy under the guidance of the old "gadfly" (Plato called him). He became, under his influence a great lover of

1. Will Durant, *The Story of Philosophy*, 4th edition (1954), U.S.A., p. 12.

wisdom. From the very beginning he had decided to embrace a political career at Athens; but the death of Socrates drove him from that side to the study of philosophy as a profession. The tragic death of Socrates left its mark on every phase of Platonic thought. It filled him with such a scorn of democracy, such a hatred of the mob, as even his aristocratic lineage and breeding had hardly engendered in him; it led him to firm resolve that democracy must be destroyed, to be replaced by the rule of the wisest and the best. It became the absorbing problem of his life to find a method whereby the wisest and the best might be discovered, and then enabled and persuaded to rule.²

Since Plato had tried his best to save the life of Socrates, he was, therefore, marked out for suspicion by the democratic leaders of Athens. Under these circumstances he was urged by his friends that Athens was not a safe place for him and it was a propitious moment for him to see the world. Hence he set out for an extensive journey in 399 B.C. Where he went, we cannot say with any amount of definiteness. Conflicting opinions have been expressed for every turn of his route. He seems to have gone first to Egypt; and was somewhat shocked to hear from the priestly class which ruled that land. But nothing so educates as a shock. The memory of these learned pundits of the Nile, theoretically ruling a static agricultural people, remained alive in Plato's thought, and played its part in writing his *Utopia*.³ He then sailed off to Sicily, and to Italy. There he joined for a time the school which the great Pythagoras had founded; and once again his susceptible mind was marked with the memory of a small group of men set aside for scholarship and rule, living a plain life despite the possession of power. For a period of twelve years he wandered, imbibing wisdom from every source, sitting at every shrine, tasting every creed.⁴ There are some who believe that he went to Judia and was moulded for a while by the tradition of the almost socialistic prophets.⁵ Although no authentic records are available to bear testimony to this fact, but it is also said that he found his way to the banks of the Ganges, and learned the mystic meditations of the Hindus. Whether he paid a visit to the bank of the Ganges or not, it appears as almost certain that his conception of justice and theory of Ideas were very much influenced

2. *Ibid*, pp. 12-13.

3. *Ibid*, p. 13.

4. *Ibid.*, p. 13.

5. *Ibid.*, p. 13.

by the Hindu theory of Varana-dharma and the theory of Satyam Shivam Sundaram. There are, however, writers who believe that the theory of justice or the division of labour which Plato advocated in the Republic was learnt from the Egyptian system of division of labour among a number of classes.⁶ According to M. B. Foster, "Some of the travels ascribed to him are probably fictitious". But he is certain about his visit to Italy and Sicily.

He returned to Athens in 387 B.C., a man of forty now, ripened to maturity by the variety of many peoples and the wisdom of many lands. In a shady garden outside the walls he founded his university—the Academy. The Academy of Plato was both a school and an institute of scientific research. It was visited by nearly all the famous scientists of the time, it soon ceased to be an Athenian institution and became one of the centres of Greek learning. The students included the sons and daughters of some of the most distinguished families in Greece.⁷ Plato renounced Athenian politics to become the president of the first pan-Hellenic university. The purpose of the foundation of the Academy was two-fold. In the first place, it served as an organization of pure research.⁸ In the second place, the Academy was also a school of political training, from which statesmen and legislators issued.⁹ Like all the philosophers of Greece, he sought to impart knowledge which should issue in action, and to teach a philosophy which should be a way and an inspiration of life.¹⁰ The approach to philosophy lay through geometry: the inscription over the gate of the Academy, as we are told by a Byzantine grammarian, contained the words, "Let no man ignorant of geometry enter here".¹¹ His philosophy, in the first place, was the conversion of a soul, and in the second place, the service of mankind. Plato was convinced that such a conversion came not by any magic device, but by a gradual turning of the eye towards the light through a steady training in science. "The service to which the Platonic disciples were called was not a service of preaching, or a service which took the shape of what we should nowadays call social work, but a service in

6. Quoted from E. Barker's *Greek Political Theory*, p. 110. Plato also refers to the Egyptian system of Class in the *Timaeus* (24 A).

7. R. H. S. Crossman, *Plato To-Day*, p. 77, 2nd edition (1959), London.

8. *Ibid.*, p. 77.

9. E. Barker, *op. cit.*, p. 111.

10. *Ibid.*, p. 111.

11. Burnet, *Greek Philosophy*, p. 218.

the world of politics, which took the form of guiding and, if it might be, governing states.”¹² It was in this Academy that Plato could build up a community of young disciples and imbue them with the moral and intellectual discipline which was necessary, if they were to restore the ancient glories of Greece.¹³ In the pure air of the Academy they could throw off party and factional interests and avoid the corruption of life in the degenerate city-state. Steeped in the spirit of philosophy, they would become leaders of a new and purer Hellenism and carry back with them to their homes the revolutionary creed of the Academy.¹⁴

In this insistence on the discipline of exact study, Plato's Academy can be called the first of Western Universities. It might be regarded as the first of Western Universities, in this too, that it hoped to provide men who nurtured by their academic training, would become leaders of their communities, law-givers and statesmen.¹⁵ The influence of the Academy was widespread. It touched Alexander, the champion of Greece against Persia, and in the West Dionysius, the defender of Greece against Carthage. In one sphere the influence of the Academy was deep and permanent. The development of Greek law owes no small debt to the work of the Academy. Plato like Bentham attempted to codify and modify Greek law in the light of his principles; and it is possible that his “Laws” exercised a profounder influence on contemporary Greece than did his “Republic”.¹⁶ “His work”, it has been said, “is the foundation of Hellenistic law,” and in so far as the Academy helped to shape Hellenistic law, its master exerted an influence on the development of the fine gentium of the Romans.¹⁷

With the expectation of turning the ruler of the island of Syracuse into a philosopher-king and thus testing the practical utility of his work, it was in 367 B.C. and 361 B.C. that Plato made his famous journeys to Syracuse. In the accession of the young king, Dionysius, he saw what he hoped was the auspicious occasion for a radical political reform—a youthful ruler with unlimited power and a willingness to profit by the combined advance of a scholar and of an experienced statesman.¹⁸ Very shortly Plato could

12. E. Barker, *op. cit.*, p. 111.

13. R. H. S. Crossman, *op. cit.*, p. 77.

14. *Ibid.*, p. 77.

15. C. L. Wayper, *Political Thought*, 1st edition (1954), London, p. 13.

16. E. Barker, *op. cit.*, p. 112.

17. Burnet, *op. cit.*, p. 304.

18. G. H. Sabine, *A History of Political Theory*, p. 46.

come to realize that he had been wholly misled by the report of Dionysius' willingness to take advice and to apply himself either to study or to business. The project was a complete failure.¹⁹ Plato found the habits of these wealthy Greek colonials too luxurious for his approval.²⁰ Writing about this Plato expresses himself as follows :

*"No one whose life is spent in gorging food
twice a day and sharing his bed at night,
and so on, can ever attain real wisdom".*²¹

Later on Dionysius asked Plato, after their quarrel had ended and Plato had come back to Athens, to bear him no ill-will, but received the terse reply that Plato had not the leisure to keep Dionysius in mind.²² Plato thus failed to find a state that fitted him, and according to his own view his achievement thus fell short of the highest.²³ Afterwards he devoted himself to philosophical study and writings until he died at the age of 80 after leaving a number of philosophical works at his credit.

2. *The Times of Plato* : In Plato's time there was "Stasis"* everywhere cities so divided that their citizens stood "in the state and posture of gladiators" against one another.²⁴ He saw ignorance supreme and parading up and down in the guise of knowledge. Class conflicts which prevailed everywhere produced nothing but turmoil, strife, agony and death. Simplicity, which is an essential element in true nobility of character, was ridiculed and disappeared. Society was divided into warring camps, suspicious of one another. Where no obligation was binding, nothing could head the conflict, and since security was only to be found in the assumption that nothing was secure, everyone took steps to preserve himself and no one could afford to trust his neighbour.²⁵ On the whole the baser types survived best. Aware of their own deficiencies and their opponents' abilities, they resorted boldly to violence, before they were defeated in debate and struck down by a conspiracy of minds more versatile than their own ; whereas the more intelligent, confident that they could anticipate the others' plans and that it was unnecessary to use crude methods

19. *Ibid.*, pp. 46-47.

20. George Catlin, *A History of the Political Philosophers*, p. 36.

21. Quoted by G. Catlin, *A History of the Political Philosophers*, p. 36.

22. *Ibid.*, p. 36.

23. C. L. Wayper, *op. cit.*, p. 14.

* The Greeks called Stasis (faction or sedition).

24. *Ibid.*, p. 16.

25. R. H. S. Crossman, *op. cit.*, p. 80.

where subtle policy was possible, were taken off their guard and so destroyed.²⁶

But if the class-war was the prime evil of Athenian life, there were, in Plato's opinion, two other contributory evils of great importance. The first was the idea that government belonged by right to a particular social class or to the people as a whole. He believed that it was a whole time job and demanded abilities of a peculiar kind. The state could only prosper if political power were granted to men and women who were capable of using it correctly. But the oligarchs regarded government as the prerequisite of wealth, the democrats of citizenship, and so under both parties the government was selected for reasons which had little to do with its capacity for ruling. The result was that in each case the machinery of state became the instrument of class-interest: law did not rule but was enslaved to a section of its own subjects.²⁷ It was on this score that Plato levelled his most bitter attack against democracy. The people claimed to govern themselves and frankly refused to submit the control of policy to any body of experts. Instead the citizen assembly itself made important decisions. And what was the result? The people being incompetent, power fell into the hands of demagogues; and 'ruling' became the prerequisite not of the wise statesman, but of the mob-orator, who knew how to cajole the people and to pander to its worst tastes.²⁸ Under these circumstances Plato came to the conclusion that people will never escape from this predicament until they realise that power is in the hands of the ignorant, that power in the hands of the ignorant is poison, that ignorance and opinion must give way to knowledge.

Besides the rule of ignorance, there was another defect which Plato saw in all existing forms of government equally. This was the political selfishness of the party struggles. Each faction preferred its own advantage even above that of the state itself. "The harmony of political life that adjustment of public and private interest which Pericles boasted had been achieved in Athens—was indeed an ideal".²⁹ There was a complete moral dislocation and political degeneration in the life of an Athenian citizen. They chose evil because they thought that would be good for them. And they were not corrected even by those who were supposed to be their leaders. Even the best of them

26. *Ibid.*, p. 80.

27. Plato, quoted by R. H. S. Crossman, p. 81.

28. R. H. S. Crossman, *op. cit.*, p. 81.

29. G. H. Sabine, *op. cit.*, p. 51.

were not helpful. Themistocles and Pericles were accounted great statesmen, but they had failed to make their people "better and gentler". Pericles filled the city with "harbours and dockyards and walls and such trash," not with good men.³⁰ A fierce spirit of factionalism continued to dominate the life of the Athenian citizen. It was this fierce spirit of factionalism and party-selfishness which was manifestly a chief cause of the relative instability of government in the city-state.³¹ It was this which Plato hated most. It was this which Plato not only wanted to criticise but to cure also.

The main reason of this political factionalism, party-selfishness and social strife, was attributed by Plato to the economic discrepancy between those who had property and those who had none. The oligarch was interested in the protection of his property and the collection of his debt, utterly disregard of the hardship caused to the poor. The democrat was out to support idle and indigent citizens at public expense, that is with money taken from the well-to-do. "Every city was rent asunder: the main line of demarcation was wealth. Everywhere in Greece rich and poor strive against each other". Thus Plato declared that "every city howsoever small, there are two cities, a city of the rich and a city of the poor, eternally at war with each other". So serious was this condition that Plato could see no cure for factionalism in Greek politics unless there was a profound change in the institution of private property. Hence he advocated his community of property avoiding, of course, the great extremes of poverty and wealth. Besides the wretched condition of women, who were deprived even of the normal social life, led him to advocate the communism in wives. There may be some other reasons also for such an advocacy but among them it seems to be the foremost.

Plato's life covers one of the most important and most troubled periods in Greek history.³² He remembered the horrors of the Peloponnesian war, he was old enough to remember the rule of the Four Hundred at Athens. He was sufficiently grown up at the war's disastrous end and the rule of the Thirty which ensued it. To these stirring events may be added the death of Socrates whom he regarded to be the wisest, justest and best, and his unfortunate experience of tyranny at Syracuse. It was against this background that Plato

30. C. L. Wayper, *op. cit.*, p. 16.

31. G. H. Sabine, *op. cit.*, p. 52.

32. C. H. Macilwain, *The Growth of Political Thought in the West*, 10th edition (1957), New York, p. 23.

was required to prepare his programme for the salvation of Greece. It was during the period of depression that Plato was compelled to write not only for his country but for his civilization.

3. *The Socratic Influence on Plato*: Before examining the philosophical writings of Plato which have immortalised his name and enriched the philosophical treasures, we shall examine briefly the influence of Socrates on Plato. Socrates both living as well as dead, exercised a tremendous influence on his pupil's mind. He came under the tutelage of Socrates in early manhood and he could say with pride, "I thank God that I was born a Greek and not barbarian, freeman and not slave, man and not woman, but above all, that I was born in the age of Socrates".³³ It is a clear proof of his love, admiration and respect for Socrates. In the corrupted society of his day Plato could see in Socrates the only solitary figure which could guide and inspire him. It was the Socratic method and Socratic mission that determined the direction of Plato's own thinking.³⁴ It is with a rendition of that mission and method that the earlier highly dramatic dialogues are concerned. The dialogues are meant not to expound a Platonic system, but rather to be rendition of that conjoint co-operative thinking of younger spirits awakened by a great teacher to a spirit of independent personal thinking and search.³⁵ The archetype of such a teacher was Socrates, and in no small measure the dialogues may be conceived to be intended as a memento to the memory of that philosophical conversationalist whom Plato had known and associated with as a quite young man, and whose life—and death may be said to have converted Plato to philosophy.³⁶ It is pointed out by some notable scholars, men like John Burnet and A. E. Taylor, that the dialogues in which Socrates is the principal speaker are substantially accurate records of the theories and arguments of Socrates himself, and that only the last dialogues, in which Socrates does not appear, describe the theories of Plato.³⁷

Throughout his life Plato regarded himself as the fulfilment of Socrates. Because he believed this, he wrote dialogues and made no attempt to show where Socrates speaks in his own name and where

33. Quoted from Will Durant, *op. cit.*, p. 12.

34. *The Philosophy of Plato*, The Jawett Translation, edited and with an introduction by Irwin Edman, New York (1956), p.17.

35. *Ibid.*, p. 12.

36. *Ibid.*, p. 12.

37. A. R. M. Murray, *An Introduction to Political Philosophy*, p. 35.

he is the mouthpiece of Plato. Any such distinction would have seemed unreal to the man who had grasped the meaning of Socrates' life.³⁸ Reason and truth are not the trappings of individual personalities : they are eternal and universal, and in them individual differences disappear. So at least both Plato and Socrates believed, and therefore the distinction of the real from the Platonic Socrates was for Plato absurd.³⁹ In his written works Plato tried to give flesh and blood to the Socratic spirit, the spirit of philosophy. For this reason the Socrates of the dialogues is at the same time the historical Socrates and the timeless man of Platonic philosophy. Plato saw no inconsistency in this.⁴⁰

For years he had talked with Socrates and studied with him the new science and mathematics, dialectics and theology. He understood the Socratic spirit more than his contemporaries. He had not failed to see Socrates' deep disgust with the aristocratic clique and democracy. He understood well the Socratic refusal to escape from prison. He had also seen that he was not an agnostic, but a conscientious objector.⁴¹ After the death of his master he felt that he was alone, but he also felt that his vocation was clear. He must overcome his deep revulsion from politics and do what Socrates had failed to do. He decided to answer the question which Socrates asked, and discover those eternal principles of human conduct which alone could bring happiness to the individual and stability to the state. He decided to use the Socratic dialectic not only to discredit hypocrisy and false pretensions, but to reveal what real justice, courage and temperance were, and then to work out a constitution and a system of law consistent with them. And lastly, he had decided to build a city-state so firmly based upon reason and truth that Socrates, the conscientious objector, could have given it his wholehearted approval and loyalty, and lived a good conscience under its protection. He believed that the death of Socrates could only be made good if it inspired his friends and disciples to devote themselves to this one task.⁴²

The basis of Plato's philosophical system is Socrates' doctrine of reality.⁴³ According to this doctrine, reality inheres only in the

38. R. H. S. Crossman, *op. cit.*, p. 72.

39. *Ibid.*, pp. 72-73.

40. *Ibid.*, pp. 73-74.

41. *Ibid.*, p. 72.

42. *Ibid.*, p. 72.

43. F. W. Coker, *Readings in Political Philosophy*, 15th edition (1957), New York, p. 1.

ideas of things—that is, in the perfect, permanent, immutable, self-existent entities which underlie the changing and imperfect objects of perception; the latter are merely the superficial appearances of things. “Plato interpreted and developed this theory and its ethical application in the identification of virtue with knowledge of absolute reality.”⁴⁴ Thus Plato’s theory of ideas, according to which Idea is the ultimate reality and the Idea of Good which is the Idea of all ideas, was essentially Socratic in character. It was for the realization of the Idea of Good what Plato called ultimate reality, that the Ideal State was contemplated. Like Socrates he combined politics and ethics, devoting chief attention to the ends which the state should set before itself, and viewing politics as the art of making men more just and virtuous. Through the improvement of human nature, Plato like Socrates aimed at the perfection of individual life. It is rightly pointed out that like Socrates there are “two great forces which are persistent in Plato—the love of truth and the zeal for human improvement”.⁴⁵ “The outstanding fact of Plato’s intellectual development was his association as a young man with Socrates, and from Socrates he derived what was always the controlling thought of his political philosophy—the idea that virtue is knowledge”.⁴⁶ This influenced Plato’s idea of the “supremacy of reason which issued forth in the rule of the philosopher-king. His dialectical method of ascertaining reality, his contempt towards democracy and his advocacy of the rule of law were very much influenced by Socrates. It is quite true to say that the image of his Plato’s teacher (Socrates) never faded from his mind while he kept himself busy in enriching the philosophical treasures by the power of his pen.

4. *The Works of Plato*: Plato was a prolific writer and he left a number of philosophical works after his death. Most famous among them were: (1) *Apology*, (2) *Crito*, (3) *Phaedo*, (4) *Symposium*, (5) *Republic*, (6) *The Statesman*, and (7) *The Laws* etc. We shall describe here briefly the philosophy of these works and shall examine the philosophy of the *Republic* and *The Laws* in greater details in separate chapters.

(a) *Apology*: *Apology* is one of the finest works of Plato. It gives an interesting account of how 72 years old Socrates was tried in 399 B.C., how he was found guilty and poisoned to death. This work was produced some years after the death of Socrates. In this

44. *Ibid.*, p. 1.

45. *Encyclopedia Britannica*, p. 810.

46. G. H. Sabine, *op. cit.*, p. 45.

dialogue Socrates realizes that his true enemies are not his prosecutors but all those who oppose the life of reason and virtue, who shrink before his conviction that "the unexamined life is not worth living".

(b) *Crito* : This dialogue takes place some time between the trial and death of Socrates. He is visited in his cell by his old friend Crito who has come with a plan for his escape. Crito argues that Socrates would be doing wrong to his friends, his family and himself by submitting to the sentence imposed by the Athenian Court. Socrates rejects the proposal. By escaping he would be going against the public opinion, reversing the conduct of his past life and making a hypocrisy of his statement at the trial and he would prefer death to exile. He recognises the authority of law as well as of his own conscience.

(c) *Phaedo* : The scene is Socrates' prison cell on the day set by the Athenian council for his death. He has sent his wife and child away, and with the friends who have come to visit him, he discourses about the nature of the soul. Towards evening the Jailor brings the fatal cup of hemlock. His friends are surprised that he remains as calm and reasonable as ever in the face of approaching death, but he argues that the philosopher has nothing to fear. Philosophy which is always trying to release the soul from the limitations of the body is in effect the study of death. Socrates is urging the life of the spirit, the pursuit of wisdom and virtue and is attempting to establish divinity as well as the immortality of the soul. In this he anticipates Christianity and his influence on St. Paul and the early Church is immeasurable. Socrates sees man's life as a journey from the mortal towards the divine and immutable. The life of the soul in an afterworld of rewards and punishment becomes a moral argument for the life of virtue on earth. The *Phaedo*, therefore, combines high drama and high philosophy, the death of a great man and his declaration of faith in the immortality of the human soul. From this dialogue Socrates emerges out as the chief saint of classical antiquity.

(d) *Symposium* : It contains Plato's philosophy of love. Socrates argues that love is not a god as the others have assumed, but a spirit meditating between the mortal and divine natures of man. This spirit offers a solution to Plato's dualism of the material and spiritual worlds ; the love of one beautiful form can lead, through several stages, to the love of absolute beauty which is also God. The

philosophy progresses from the mutable world to the contemplation of the eternal.

(e) *The Statesman* : The *Statesman* is a work of Plato's later years after he had failed to put into practice the aristocracy of his dreams under the patronage of Dionysius II of Syracuse. "Disillusionment coupled with advancing years may have chilled his poetic enthusiasm and venomized the barbs of his irony, but they did not impair the clarity of his vision or shake his loyalty to the ideal. He still seeks the city of Light, hoping, if not believing, that philosophers may be kings and kings philosophers".⁴⁷ In the *Statesman* Plato's chief purpose is to develop the "idea" of a ruler, and to set political science in its proper place in the broad scheme of knowledge.⁴⁸ The conclusion reached is that the *Statesman* is a kind of artist whose chief qualification is knowledge.⁴⁹ The result is embodied in an identification of the true Statesman with the all-wise philosopher, and an identification of politics with education and character-building.⁵⁰ Plato's definition of the Statesman draws a sharp distinction between the king and the tyrant. According to him a tyrant rules by force over unwilling subjects, while the true king or Statesman has the art of making his rule voluntary.⁵¹

According to Plato true political science can be achieved only under a ruler who will not require instruction or restriction by law. As he writes in the *Statesman* :

*"Among forms of government that one is pre-eminently right and is the only real government, in which the rulers are found to be truly possessed of science, not merely to seem to possess it, whether they rule by law or without law, whether their subjects are willing or unwilling".*⁵²

This argument or reasoning has been used both by the defenders of absolutism and enlightened despotism since the time of Plato to our own day. "There is no way in which the two positions can be made compatible, but it is apparent that Plato is not willing to abandon either".⁵³ Truly possessed of science, the Statesman will be

47. C. C. Maxey, *op. cit.*, p. 52.

48. W. A. Dunning, *A History of Political Theories—Ancient and Medieval*, p. 34.

49. G. H. Sabine, *op. cit.*, p. 74.

50. *Statesman*, 306.

51. *Statesman*, 276.

52. *Statesman*, 293 c, H. N. Fowler's Translation.

53. G. H. Sabine, *op. cit.*, p. 75.

learned, wise, impartial, upright, diligent, fully competent, and masterful. He will be a prototype of that Divine Ruler of the previous time when men lived like gods. People today are disgusted with their statesmen, but, if a Statesman like that as suggested by Plato were to appear, they would joyfully hand over to him the reins of government. "With the coming of such a king there would be a rebirth of that former Elysian state of human society, and the present imperfect forms of government would be swept away".⁵⁴ The world would be a better place to live in and the distinction, that exists between *Civitas Dei* and *Civitas Terrana*, would ultimately disappear.

5. *The Form and Method of Platonic Dialogues* : It is to be noted that Plato was not original in the use of his dialogue form. The form in which the Platonic dialogues are written was already in vogue. Plato had already witnessed the comedies of Aristophanes and the tragedies of Euripides at Athens. He had also read the comic dialogues of Epicharmis. The Platonic dialogues are politico-philosophical in nature, are comedies of ideas. They represent the dramatic crisis of the soul and its inquiries. Through his dramatis personae he sets before us the philosophical ideas. The characters that are depicted are not simply names given to the voices of philosophical notions as they are in the dialogues of Burkley ; they are live and picturesque characters.⁵⁵ One may forget, for the time being, the philosophical concerns and ideas touched upon in the dialogues but he will remember always the characters of the dialogues as galleries of unforgettable personalities.⁵⁶ Socrates stands out above all, almost one might say, the Hamlet of Plato, and like Hamlet, too torn, though not so sombrely, by the insoluble antinomies and irresolutions to which we are led by passion and by thought.⁵⁷

A particular feature of Platonic dialogues is his method of the use of analogy. In the method of Socrates analogies drawn from the arts were regular : he was perpetually enforcing the need of knowledge and of education by the example of the pilot or the doctor. In Plato analogies of both kinds are frequent. His analogies from Nature are chiefly analogies drawn from the animal world. In the *Republic* the analogy of the dog is more than once made the

54. C. C. Maxey, *op. cit.*, p. 52.

55. *The Work of Plato*, edited by Irwin Edman, the Jawett Translation, p. 12.

56. *Ibid.*, p. 13.

57. *Ibid.*, p. 13.

basis of important arguments.⁵⁸ By considering the temper of the watch-dog, Plato arrives at the principle which should dictate the choice of guardians, by comparison of the male watch-dog with the female, he is able to decide that women ought to be guardians as well as men, and it is by an argument from the breeding of animals that he comes upon his theory of marriage.⁵⁹

It is again the Socratic use of analogy drawn from the arts which appears very prominently in the dialogues of Plato. The conception of politics as an art on which Socrates had insisted so much, penetrates almost everything which Plato has to say on this subject.⁶⁰ Conceiving politics as an art, he demanded that in this art, as in others, there should be knowledge. This is perhaps the most prominent feature in the whole of his political thought ; and the demand that, on the analogy of all other 'artists', the Statesman should know what he practises, lies at the root of the Republic.⁶¹ The same conception of politics led Plato still further. Because the artist ought to be unfettered in the practice of his art by a body of rules, he holds that the Statesman should ideally be free from the restraint of law, and he advocates a theory of absolute monarchy.⁶² By arguing that the artist should work for the betterment of the object of his work, Plato wants to advocate that the Statesman should always work for the welfare of his subjects.

58. E. Barker, *op. cit.*, p. 119.

59. *Ibid.*, p. 119.

60. *Ibid.*, p. 120.

61. *Ibid.*, p. 120.

62. *Ibid.*, p. 120.

CHAPTER 5

PLATO—THE REPUBLIC

"It is easy to interpret the Republic as a Utopia, a city in the clouds, a sunset fabric seen for an hour at evening and then fading into the night. But the Republic is not a city of no where. It is based on actual conditions, it is meant to mould, or at any rate to influence, actual life". —Dr. E. Barker

1. *The Republic* : The Republic is the greatest work of Plato. "In this he attempted to establish the philosophic conception of justice, and in so doing he set forth his conception of an ideal state in which justice prevails. The point of view is primarily ethical and idealistic".¹ According to Benjamin Jowett, Republic is the greatest of all the works of Plato, and "is the centre around which the other dialogues may be grouped".² "Nowhere in Plato is there a deeper irony or a greater wealth of humour or imagery, or more dramatic power. Nor in any other of his writings is the attempt made to interweave life and speculation, or to connect politics with philosophy".³ It is a work that deserves to be called political science. "It applies systematic reasoning and critical inquiry to political ideas

1. R. G. Gettell, *History of Political Thought*, p. 44.

2. C. C. Maxey, *Political Philosophies*, 5th edition (1956), p. 42.

3. Benjamin Jowett, *The Dialogues of Plato* (4 Vols., 1902), Vol. II, p. 1

and institutions.”⁴ After twenty-three hundred years, says Prof. Ebenstein, it is still matchless as an introduction to the basic issues that confront human beings as citizens. No other writer on politics has equalled Plato in combining penetrating and dialectical reasoning with poetic imagery and symbolism.⁵ It is not a utopia but the work of a thinker passionately interested in practical politics. Rejecting the doctrine that man must fatally and inextricably remain a prisoner of natural or social circumstances, Plato has faith in man’s ability to create a community that will correspond to the ideal of knowledge and, therefore, justice.⁶

The Republic is universally regarded as one of the greatest works of all times. In this dialogue particularly the conception of the state is closely involved in a general philosophical, ethical and social theory. Plato is describing what a community must be if man within it is to realise fully his highest capacities.⁷ Thus the dialogue is concerned with projecting an ideal condition of society, and it is listed among the political “utopias”; but it is concerned also with criticism of an actual condition of society, and it is a work of great practical insight.⁸ It is a work in which he inquires into the nature of the firstly ordered state and society. It is still the most fascinating work of political philosophy ever written, and even the most confirmed democrat can still learn a great deal from Plato’s profound insights into politics, including his biting criticisms of the basic concepts of democracy.⁹ To quote Prof. Dunning, “The Republic is in every respect Plato’s greatest work. Both the substance of his thought and the form in which it is expressed have fascinated all succeeding generations and have stimulated endless imitation”.¹⁰ There is no doubt that the fascination of the Republic still continues to charm, but its ideas have not been imitated in the sense of adoption or identification. To Stallbaum, “the Republic aimed at the representation of human life in a state perfected by Justice, and governed according to the idea of good”. Plato was fully convinced that perfection in the ideal state could not be realised by citizens unless they practised justice in their day-to-day working and governed by the idea of good which enabled them to think clearly and to

4. W. Ebenstein, *An Introduction to Political Philosophy*, p. 12.

5. *Ibid.*, p. 12.

6. *Ibid.*, p. 21.

7. F. W. Coker, *Readings in Political Philosophy*, 15th edition (1957), New York, p. 2.

8. *Ibid.*, p. 2.

9. W. Ebenstein, *Political Thought in Perspective* (1957), New York, p. 1.

10. Dunning, *Political Theories—Ancient and Medieval*, pp. 27–28.

imbibe truth, beauty and goodness as the fundamental virtues in their lives. According to Prof. Catlin, "The Republic is an ethical treatise and, although an example of Socratic dialectic, is dogmatic in its conclusions, involves psychological investigations and contains an educational prospectus and a political constitution".¹¹ It is an ethical treatise because the problem that Plato has to tackle is essentially ethical. The aim is to make the life of citizens good and virtuous. The method adopted by Plato in the development of his theme in the Republic is dialectical. Through dialectical reasoning which is based on question and answer, Plato tries to discover the ultimate reality. The approach of Plato is essentially psychological, because the construction of the ideal state with which Plato is occupied, is based on the psychology of the human soul and its essential elements. It contains a long and elaborate scheme for the organization of an ideal polity which was to be realized through a detailed, noble and unique system of education. With the same strain Prof. Murray observes that the Republic "examines problems of ethics and political philosophy as well as those of logic, metaphysics and psychology".¹² This is indeed one of the great merits of the work, because it draws attention to the important fact that the different branches of philosophy are intimately connected and that ethical and political doctrines cannot be finally assessed without consideration of their logical and metaphysical assumptions. In the Republic "there is a great deal of criticism of existing institutions, practices and opinions. The book may be regarded not only as a philosophical work, but as a treatise on social and political reform. It is written in the spirit of a man not merely reflecting on human life, but intensely anxious to reform and revolutionise it".¹³ He is writing with eyes constantly fixed on the evils of Athenian society and it is in this that he essentially differs from Aristotle.

Republic of Plato is the representation of the noblest and the best life. "It contains Plato's plan for the building of a perfect state in which every citizen is really happy."¹⁴ Plato planned to build up a perfect city because he was convinced that it was only in a perfect city that a perfect citizen was to be found. He did not make any distinction between the life of the state and the life of the individual.

and always treated them as identical. Plato imagines himself to be vested with supreme power and asks how he would use it to save humanity from its present miseries. If a social reformer wants to build up a perfect society, he can only do so by reconstructing existing institutions ; and so Plato was forced to consider the city which he knew so well, and to ask himself what was wrong with Athens. When he had discovered this, he could construct a city free from the evils of Athenian society, and he believed that these evils were three in number : class-war, bad government, and bad education.¹⁵ It is for the eradication of these evils that Plato's philosophy in the *Republic* is both a prescription and an effective remedy. "We do Plato the greatest of wrongs if we forget that the *Republic* is no mere collection of theoretical discussions about government...but a serious project of practical reform put forward by an Athenian..." set on fire, like Shelley, with a "passion for reforming the world".¹⁶

"Few books that claim to be treatises on politics", says Prof. Sabine, "are so closely reasoned or so well co-ordinated as the *Republic*. None, perhaps, contains a line of thought so bold, so original, or so provocative. It is this quality which has made it a book for all time, from which later ages have drawn the most varied inspiration. For the same reason its greatest importance is general and diffused, rather than the result of specific imitation".¹⁷ According to Dr. Barker "*Republic* is an attempt at a complete philosophy of man. But man is a whole : his action cannot be understood apart from his thinking ; and therefore the *Republic* is also a philosophy of man in thought, and of the laws of his thinking".¹⁸ We may also observe that the *Republic* of Plato not only contains political philosophy, but also the philosophy of life whose ideals still stand as a challenge to human nature and which will continue to guide and inspire as long as man exists.

2. *The Main Divisions of the Republic* : (1) Books I and II, to 367 E. This forms an introduction ; in it several representative views about human life are examined, and the problem to which the *Republic* offers a solution is also explained. The problem is connected with the observance of the principles of morality. But the argument is also advanced side by side for the sake of logic and final conclusion that success in life does not depend upon morality. This creates

15. *Ibid.*, p. 78.

16. A. E. Taylor, *Plato : Man and His Works*, p. 122.

17. G. H. Sabine, *A History of Political Theory*, p. 67.

18. E. Barker, *Political Thought of Plato and Aristotle*, p. 145.

a great contradiction. It is this contradiction which leads to the demand with which the introduction culminates. 'Show us what morality really is, by explaining how it operates in the soul of him who possesses it. What does morality mean in a man's innermost life?' This question indicates the central idea of the Republic.¹⁹

(2) From Book II, 367 E, to the end of Book IV. In this Plato considers what would be the best form of human society ; justice for the first time would be traced in the institutions of this society. These institutions are based on human nature. The society is a community in the life of which every element in human nature has its proper scope given to it. These elements of human nature are reason, spirit and appetite. Their manifestation in the state constitutes justice. Beginning therefore with the organization of life in the state, and discovering in every part of it a principle upon which the welfare of the community depends, Plato endeavours to trace this principle to its roots in the constitution of human nature, showing how whatever is good or evil in the external order of society depends upon the inner nature of the soul.²⁰

(3) Books V to VII. In these books Plato explains the means by which the Ideal Society could be realized. Plato's answer to this question was that the life of man and that of the society could be perfect if it were governed by knowledge. Plato also explains here that the course of all present evils was that men were blinded, by their own passions and prejudices, to the laws of their own life. He also expresses that if the ideal was to be reached and evils were to be brought to an end, philosophy must rule the state. The most precious thing in human nature according to Plato was his capacity for attaining truth. Plato tries to explain here those means by which that capacity might be so trained and so turned to account as to bring the greatest good to mankind.

(4) Books VIII and IX. They deal with the perversions of the state and individuals. Plato here tests and develops further his idea of the principle upon which human good depends, by undertaking to show that all existing evil is due to the neglect of that principle.²¹

(5) Book X. This Book is divided into two. The first half of it deals with the subject of art and specially of poetry. The last half of the book is concerned with the main subject, the capabilities

19. R. L. Nettleship, *op. cit.*, p. 11.

20. *Ibid.*, p. 12.

21. *Ibid.*, p. 13.

and destinies of the human soul, by following the soul into the life after death. According to R. L. Nettleship this is the most detached part of the Republic, and consists of two disconnected sections.²²

3. *Contents of the Republic*: The Republic of Plato has come down to us with a double title—"The State" a name by which it is generally called or "Concerning Justice". "Whether Plato himself was responsible for the title or not does not matter, for it is an accurate description of the contents of the book".²³ It is to be noted that the translated word of the Republic is "polity". "It does not mean 'republic' in the narrower modern usage of the term, according to which a republic is a constitution of a particular sort, distinguished from a monarchy. It means constitution in general".²⁴ In spite of these two titles it should not be assumed that it is a treatise either on political science or on jurisprudence. It is both and yet it is more than both.

(1) *A Treatise on Justice*: The Republic of Plato is primarily a treatise on justice. The discussion with which it is started is to enquire into the meaning, nature and habitation of justice. This enquiry is conducted through the medium of a dialogue. The speakers are: Socrates, Cephalus, a retired merchant living at Piraeus; Polemarchus, Lysias and Euthydemus—sons of Cephalus; Thrasymachus, the Sophist; and Plato's elder brothers, Glaucon and Adeimantus. This long dialogue, which starts out ostensibly as an enquiry into the meaning of justice, turns early into an examination of the life of the Just Man, which can be read "writ large" in the life of the "Just" state. For Justice is Plato's name for that kind of individual life where every "part of the soul" "does its own business", that life of the state where each individual and each class performs its appropriate function. "The main object of the dialogue was to refute the Sophists' theory that moral principles have a subjective foundation and to show that they have, on the contrary, a rational and objective basis. Plato thinks that the essence of morality is justice. But it is important to remember that Plato is using the word in a much wider sense than would now be customary. The English word 'justice' is derived from the Latin word *ius*, which means 'what is enforced by human authority'.

22. *Ibid.*, p. 13.

23. M. B. Foster, *Masters of Political Thought*, Vol. I, (London) (1956), p. 34.

24. *Ibid.*, p. 34.

That is an essentially legal conception, but for Plato the word justice had a moral significance, and is probably best translated simply as 'goodness'.²⁵ To Plato both just and the good man are identical. It is this goodness which citizen practises in the ideal state of Plato, and its very manifestation in the state makes him just and virtuous.

(2) *A Politico-ethica Treatise* : The Republic of Plato is a treatise both on politics as well as morals. There is a treatise on moral philosophy, which investigates the virtues of the human soul, and shows their union and perfection in justice. There is a treatise on political science, which sketches the polity, and the social institutions, namely, property and marriage, which should regulate an ideal state. Dr. Barker has rightly commented that the Republic of Plato is a single treatise of an ethico-political order which treats of man as a member of the state and of the state as a moral community.

The imaginative philosopher, like Socrates, says that the perfect city exists in the sky, that in beholding it men may make their cities on earth more perfect. And if our city was to attain the perfection of the city that exists in heaven, it will have to be one ruled by men who know perfection at close and certain range, philosophers with their eyes fixed upon the 'Idea of Good'. Only when the rule of men is the rule of reason, when the rulers of a state possess wisdom and govern in the light of it, can one hope for a first state where the individuals may live a just life. This construction and foundation of the Ideal State makes Republic a treatise on political science.

But Plato was not merely a political philosopher in the sense of devising the scheme of an Ideal State, he was a moralist too in the sense of believing that it was possible to educate men, at least a small group of philosophic spirits, to a disciplined knowledge of reality, as contrasted with varying opinions about appearance; in the light and by the guidance of that steady vision of the truth, they could bring to being on earth something like a realization, at least a decent approximation of the divine pattern of the good.²⁶ The whole body of the Platonic writings aims to define the good life and how the good life might be lived. Plato follows his master very closely on the identification of virtue and knowledge. In the

25. A. R. M. Murray, *op. cit.*, p. 37.

26. *The Works of Plato*, the Jawett's Translation, edited by Irvin Edman, p. 39.

Republic both knowledge and virtue become clarified in their meaning and broadened in their scope. To know is to know Reality, the eternal invariant nature of things. To have knowledge of the Real as contrasted with having opinions about the apparent, to know the real in nature, in society, in one's own soul, is for Plato the foundation of the good life. To know the real in the universe is to know the valid in the state and in one's own being, as a matter of course. To know the truth is inevitably to choose the good as Socrates had earlier contended. Truth itself is a manifestation of the supreme and encompassing Idea of the Good. A virtuous action is a true, valid, just action, the functioning of a soul according to its unsevering following of a clear vision of eternal order.²⁷ It is in this sense that Republic is a treatise on ethical order as well.

(3) *A Treatise on Education*: The major portion of the Republic is devoted to education. We find a long discussion about the value of abstract science and the principles of education. "A modern reader cannot fail to be astonished at the amount of space devoted to education, at the meticulous care with which the effect of different studies is discussed, or at the way in which Plato frankly assumes that the state is first and foremost an educational institution. He himself called it "the one great thing".²⁸ That is why Rousseau said that the "Republic is not a work upon politics, but the finest treatise on education that ever was written". Plato gave it a top priority in his Ideal State. He was undoubtedly convinced that education was a social process which prepared the individual for his right station in society. It was also a means of learning truth for its own sake and to realize the Idea of the Good which transcended all time and place.

(4) *A Treatise on Human Psychology*: The Republic of Plato is a treatise on psychology. The basic thing in the Republic is the treatment of human nature. "No two persons", he declared, "are born exactly alike, but each differs from each in endowments, one being suited for one occupation, and another for another". His classification of the entire population into three classes, namely, men of gold, men of silver and men of iron, is determined by this very concept of human nature. He believes that some are fit to rule, others to depend and the rest to produce. These three types of people are known as the ruling, defending and the producing class.

27. *Ibid.*, p. 39.

28. G. H. Sabine, *op. cit.*, p. 64.

There is again a psychological approach in Plato and, it is this, that the original classification is not rigidly maintained in the sense that if the son of a cultivator, who belongs to the producing class by reason of his birth, shows the wisdom of a ruler or the spirit of a soldier, he may be raised to the honour that he deserves. To illustrate Plato's point of view more clearly in this connection we may quote him as follows :

"Citizens, you are brothers, yet God has framed you differently. Some of you have the power of command, and in the composition of these he has mingled gold, wherefore, also they have the greatest honour ; others he has made of silver, to be auxiliaries ; others again who are to be husbandmen and craftsmen he has composed of brass and iron, and the species will be preserved in the children. But as all are of the same original stock, a golden parent will sometimes have a silver son, or a silver parent a golden son. And God proclaims...that if the son of golden or silver parent has an admixture of brass and iron, then nature orders a transposition of ranks, and the eye of the ruler must not be pitiful towards the child because he has to descend in the scale and become a husbandman or artisan, just as there may be sons of artisans who having an admixture of gold or silver on them are raised to honour, and become guardians or auxiliaries. For an oracle says that when a man of brass or iron guards the state, it will be destroyed".²⁹

Plato again passes on to a remarkable anticipation of psychoanalysis. In his typical way he goes on describing the rational and the irrational nature of human person. The rational nature is represented by the rule of reason in man what Plato calls the master of human personality. The irrational nature is represented by the rule of instincts, passions, refractory desires and baser type of pleasures. This Plato has called the wild beast or the rule of jungle in man. It is to be noted that Plato does not stand for the suppression of these natural impulses (animals of the jungle) but rather suggests that they should be understood and tamed. It is therefore clear that "Platonism, involving discipline, is not Puritanism. Its watchword is temperance, social, sexual and personal. Its repeated analogy is that of the instincts to racehorses which are needed to draw the chariot of life, but require to be reined in, and even whipped, as well as spurred".³⁰ The Platonic

29. Plato's *Republic*, Jawett's Translation, Book III (415), p. 125, Random House, New York.

30. George Catlin, *op. cit.*, p. 51.

position with regard to this may be described as follows :

"Certain of the unnecessary pleasures and appetites conceived to be unlawful; everyone appears to have them, but in some persons they are controlled by the laws and by reason, and the better desires prevail over them—either they are wholly banished or they become few and weak; while in the case of others they are strong, and there are more of them. I mean those which are awake when the reasoning and human and ruling power is asleep; then the wild beast within us, gorged with meat or drink, starts up and having shaken off sleep, goes forth to satisfy his desires; and there is no conceivable crime—not excepting incest or any other unnatural union, or parricide, or the eating of forbidden food—which at such a time, when he has parted company with all the shame and sense, a man may not be ready to commit. . . . But when a man's impulse is healthy and temperate, and when before going to sleep he has awakened his rational powers, and fed them on noble thoughts and enquiries, collecting himself in meditation; after having first indulged his appetites neither too much nor too little, but just enough to lay them to sleep, . . . he attains truth most nearly and in least likely to be the sport of fantastic and lawless visions".³¹

It may, however, be said with some justification that the "whole Republic is really an attempt to interpret human nature psychologically; the postulate upon which its method rests is that all the institutions of society, class organization, law, religion, art, and so on, are ultimately products of the human soul, an inner principle of life which works itself out in these *outward* shapes".³²

5. *A Treatise on Political Economy*: The Republic of Plato may rightly be regarded as a treatise on political economy. Plato regarded the economic factors as a very significant one in influencing political action and determining political institutions and their decisions. In his Republic he gives us an economic theory of the origin of the state. Every individual has multifarious wants but limited capacities. He cannot satisfy all his wants by his labour alone. This gives origin to a desire for economic co-operation between individuals on the basis of division of labour and specialization of functions. It is, however, worth remembering that Plato's division of labour and specialization of functions were just a corollary of his conception of justice and represented moral principles and were

31. *Republic*, IX, 571, pp. 329-330, Jawett's Translation, Random House, New York.

32. R. L. Nettleship, *op. cit.*, p. 68.

not economic in emphasis. According to some writers the main-spring of the Republic in Plato's aversion towards contemporary capitalism—that is to say his aim is the reprobation of the economic man and the substitution of a socialistic motive. The struggle between capital and labour in Plato's time was represented by the struggle of oligarchy and democracy. Plato realised the evils of this struggle and he attempted to deal with those evils by means of socialistic remedies. With all these discussions of the economic problems, the Republic may certainly be termed as a treatise on economics.

6. *A Treatise on Multifarious subjects*: Besides all these the Republic of Plato is a treatise on multifarious subjects. It is that vast treasure where a visitor can find different coins of knowledge according to his interest and taste. It satisfies the curiosity not only of the jurist, the statesman, the moralist, the educator, the psychologist and the economist, but of others as well. A metaphysicist, a sexologist, a sociologist, a critic of democracy and a student of logic and literature, all may enjoy the theme of the Republic to their utmost. The Republic is a treatise on metaphysics because it exhibits the unity of all things in the idea of the Good. It deals with life after death and preparations for it. His community of views has its sociological and eugenic import. It is for the betterment and improvement of society that Plato comes upon the regulation of property and marriage. To secure better type of human breed, he advocates regulated marriage at the behest of the state. Republic again is a splendid attack on democracy. "Throughout history he is the ablest exponent of the aristocratic theory of the state, and the acutest critic of the democratic way of life".³³ His philosophy of inequality influenced many ages and it has been the most venerated and idealized philosophy of the ages. To a logician the Republic of Plato remains "an exemplification of the dialectical method which exhibits the Socratic dialectic (or logical argumentation by cross-examination and the exposure of contradiction)".³⁴ To a student of literature its literary style is unbeatable and it still remains the greatest literary piece in the whole range of philosophical writings. To a Sophist, it is both a rebuff and reply. Plato, in the Republic, carries his relentless war against the Sophistic teaching, he attacks the existing politics and he seeks to import a

33. W. Ebenstein, *Introduction to Political Philosophy*, p. 14.

34. George Catlin, *op. cit.*, p. 46.

new principle into affairs in order to enforce a true conception of man's soul and to define the nature of the state and its relations with individuals.

7. *Influence of Republic on subsequent Political Thought:* The Republic is one of the world's greatest political treatises, both by right of seniority and also by inherent value. Its only serious rival is Aristotle's "Politics", Rousseau's "Social Contract", is too tenuous and uneducated, and Hobbes's "Leviathan" and Marx's "Capital" are both too specific to come within the same category.³⁵ It is the "greatest of utopias and the whole tribe of utopian philosophers followed it".³⁶ According to Dr. Barker, "For a thousand years, the Republic has no history: for a thousand years it simply disappeared".³⁷ It appeared in the Roman period in the writings of Cicero. His *De Republica* contains a translation of Plato's sketch of democracy and his imitation of the picture of tyranny. St. Augustine, the early Christian father and the Bishop of Hippo in North Africa, was very much influenced by the Republic of Plato. Although he had little acquaintance with the Greek literature, yet he quotes largely from the Republic of Plato in his famous work *De Civitate Dei* (The city of God). In this, like Plato's Republic, he points the picture of a city whose specimen is laid in heaven. It is in this way that "he helped to preserve the Platonic tradition".³⁸ Boethius, in his *De Consolatione Philosophi*, is mainly inspired by Platonism. He quotes occasionally from the Republic of Plato and specially from its Book V, where Plato advocates "kings becoming philosophers or philosophers kings".³⁹

In the Middle Ages, the Realists were very much influenced by Plato. Great part of the educational furniture of the Middle Ages may be found already in the Republic of Plato. The four Cardinal Virtues of popular doctrine in the Middle Ages are according to Platonic division and arrangement. Again the Medieval division of society into three estates—*oratores*, *bellatores*, *laboratores*, may be compared to the Platonic order of Sages, Warriors and Commons. The Medieval Quadrivium of Arithmetic, Geometry, Astronomy and Music are traceable to the influence of the Republic. Again the

35. *Ibid.*, p. 53.

36. G. H. Sabine, *op. cit.*, p. 67.

37. E. Barker, *op. cit.*, p. 383.

38. *Ibid.*, p. 383.

39. Plato's *Republic*, Book V (473), p. 203, Jawett's Translation, Random House, New York.

communism of Plato is approved by Gratian. To prove that communism is ideal, Gratian cites from Plato that the 'goods of friends should be in common'. Again we find a close affinity between Plato's theory of the ideal state in the Republic and the Medieval Church. Both were similar in their organization and functions. The Church had organized its members into three classes (Clerici, regulars and laici),⁴⁰ and she set the clergy or the Pope as the head and fountain of all clerical power to control the other classes. "If Plato required his philosopher-kings to control every reach of life in the light of the ideal principle of the Good, the medieval church set herself equally to control, in the light of Christian principle, each and every activity of her members—war ; international relations ; industry and commerce ; literature and study".⁴¹ Dante's *De Monarchia* which was written for the unity and peace of Christendom, was essentially Platonic in character. His Universal Monarch who rules according to justice and law, resembles very much with Plato's philosopher-king. But it appears to be just a co-incidence that there is so much of resemblance between Platonism and the medieval way of life. There seems to be a lot of truth in Dr. Barker's statement that "the Middle Ages were not following Plato : they were following their own way. That way coincided, at many points, with the way Plato had trodden before. The curriculum of the medieval university may correspond to the curriculum of the VII Book of the Republic ; but it was the curriculum of the medieval university not because it corresponded with the curriculum of the Republic, but because it had been for centuries the actual staple of education".⁴² But the statement given by Dr. Barker is not wholly true because Plato was very much understood by the medieval mind. He had a great following in the Middle Ages and his doctrines during the scholastic period were very much popularised by his followers—the Realists.

The modernity too could not remain without the influence of the Republic. "With the Renaissance came a new birth of the Republic. The Platonism of the Florentine Academy and the circle which gathered round Lorinzo de Medici was indeed Neo-Platonic".⁴³ It was in 1477 that Ficino translated the works of Plato in Latin. More's *Utopia* represents a return to the idealism of Plato. His

40. The three classes are clergy, baronage and commons.

41. E. Barker, *op. cit.*, p. 385.

42. *Ibid.*, p. 385.

43. *Ibid.*, p. 385.

on the postulate that the state is a moral organism. Like Plato, Hegel was an absolutist, and though he hardly ventured to suggest the turning of Prussian kings into philosophers, he found the main-spring of government in "the will of a decreeing individual".⁴⁷ The English school of idealism, of which Green, Bradley and Bosanquet were the chief representatives, was highly influenced by the Republic of Plato. Comte, the 19th century sociologist and the founder of Positivism, was essentially Platonic. Like Plato, he believed that society could and should be governed by scientific knowledge.^{*} Like Plato he held that government was a scientific problem, and administration a matter of scientific paternalism. It becomes quite clear from all this that the Republic of Plato has been a potent influence in all the ages, ancient, medieval and modern.

47. *Ibid.*, pp. 389-90.

CHAPTER 6

THE KEYSTONE OF PLATO'S THINKING

"His Doctrine of Ideas."

1. *The Greek Search for Reality before Plato* : Before examining the construction of the ideal state as outlined in the Republic, let us proceed to examine Plato's doctrine of Ideas which constitutes the keystone of his political thinking. For the understanding of the rest of his philosophy, it is very essential to understand his theory of Ideas. If this is not clear, then something very important is missed which could have provided succour to a student of Plato in the exploration of his thinking and penetration in the mystics of his ideas. If this is clear, then the rest becomes easy.¹

It is to be noted that the entire Greek political thought from Thales right up to Aristotle is dominated by this very problem, i.e., (the search for ultimate reality).² Every one tried to approach the problem in his own characteristic fashion. To Thales of Miletus, water was the ultimate reality. To Anaximander it was something which was infinite or the Boundless which was the source of all things. The views of Anaximenes in this connection were entirely different from his predecessors. According to him air was the ultimate reality of the whole universe. Pythagoras, who was the

1. H. K. Dobson, *The Annals of Greek Political History*, p. 52.

2. *Ibid.*, p. 53.

head of the metaphysical school, regarded an abstract principle—the number, as the ultimate reality. To Heraclitus the ultimate reality was “change”. Change according to him was the universal law of nature. But the views of the founder of the Eleatic school were quite opposed to the views of Heraclitus. To Parmenides, the founder of the school, it was permanence or stability that was the real nature of the things. Change, he regarded as a mere illusion of the senses.³ What he, in fact, meant by this was that whatever one object might change, there must be some part of it that does not change at all. What does not change, he said, must be the permanent character of the object.⁴ Triangles, for example, change but the quality of triangularity is permanent. Geometrical character thus, was the permanent quality that did not change. He further held that there could be “doxa” or empirical observation about the changing, but that “Episteme”—or real knowledge could be had only about that which was permanent.⁵ “Being alone remains unmoved, which is the name for all”. This is the language of Parmenides, Millissus, and his followers, who constantly maintain that all being is one and self-contained, and has no place in which to move. Parmenides had found pure unity, an immutable reality, against which the world of phenomena became merely the world of illusion, the world of appearance, an invalid mirage of the senses.⁶ On the one hand was the absolute world of the one, unchanging, unified, and eternal; on the other hand the shifting world of appearances, ceaselessly changing, eternally unreal, the real of nonbeing.

2. *Plato's Discovery of Reality*: Plato, who had a great philosophical insight and possessed the vision of a poet, worked against this common background of philosophical speculation and developed his Theory of Ideas. He had the poet's dejection at the vanishing and decay which was the doom and taint upon existence, the poet's thirst for beauty and order that would not fade.⁷ In this he benefited himself both by Heraclitus and Parmenides. It has been rightly said, that Parmenides divided by Heraclitus gives Plato. This observation is at least suggestive. Plato had certainly learned

3. *Ibid.*, p. 53.

4. *Ibid.*, p. 53.

* 5. C. L. Wayper, *Political Thought*, 1st edition (1954), London, p. 18.

6. *The Works of Plato*, edited by Irvin Edman, the Jowett Translation, p. 35.

7. *Ibid.*, p. 35.

from the Heracliteans to look at the world of sensible phenomena as in constant flux.⁸ "All is changing save the law of change", Heraclitus had said. "You cannot step twice into the same stream". Nor, indeed, was he who stepped into the river the second time, the same person. The outer world of phenomena, the inner world of sensation, the world and the individual were all in constant change. In such a world stable knowledge was impossible, even seeing was not believing since it was but the appearance of a moment and the seeing and the object of vision were already as if they had never been. In a world conceived as in eternal flux, no stable knowledge was possible, certainly no stability of moral values was possible. From Parmenides he learnt the concept of changing and the unchanging world—the world of appearance which was shifting and the world of being which is unchanging and which is the eternal world.

Plato recognized the impossibility of knowledge in a universe where both the objects perceived and the mind perceiving them were in constant change. Heraclitus's "flux" left the intelligence dizzy with its lack of grippable permanences; Parmenides's changeless one left the mind paralyzed by its remoteness from possible experience. Plato had faith both in the possibility of change and permanence. But he believed that the law of historical destiny, the law of decay, can be broken by the moral will of man, supported by the power of human reason.⁹ He also believed that the law of decay or degeneration involved moral degeneration. Political degeneration at any rate depends in his view mainly upon moral degeneration (and lack of knowledge), and moral degeneration, in its turn, is due mainly to racial degeneration. This is the way in which the general cosmic law of decay manifests itself in the field of human affairs.¹⁰ But he was convinced of a general historical tendency towards corruption, and of the possibility that we may stop further corruption in the political field by arresting all political change. This, accordingly, is the aim he strives for.¹¹ He tries to realize it by the establishment of a state which is free from the evils of all other states because it does not degenerate, because it does not change. The state which is free from the evil of change and corruption is the best, the perfect state. It is state of the Golden Age which knew no change. It is the arrested state.¹²

8. *Ibid.*, p. 34.

9. K. R. Popper, *The Open Society and its Enemies*, Vol. I. *The Spell of Plato*, 3rd edition, 1957 (London), p. 20.

10. *Ibid.*, p. 20.

11. *Ibid.*, p. 21.

12. *Ibid.*, p. 21.

It was this belief in a perfect state that does not change which Plato extended to the realm of 'all things'. He believed that to every kind of ordinary or decaying things there corresponds also a perfect thing that does not decay. Thus belief in perfect and unchanging things, usually called the "The Theory of Forms or Ideas" and which constitutes the central doctrine of his philosophy. This Theory of Form is called the Doctrine of Ideas, because Idea, according to Plato, is the ultimate reality. It is on this idea that the rest of his theories of the Ideal State are founded.

3. *Plato's Theory of Ideas* : The permanent character of anything he calls the Idea. - It is to be noted that by Idea Plato did not mean a thought existing in the mind, because such a thought had a temporary existence and was as transitory as any event in the outside world. An Idea in Plato's sense is not part of the world of time and space. It is eternal, it is the final and independent reality. Because it is eternal it must be different from the object in which it appears. The Idea of horse will be different from any particular horse. The Idea of a State is entirely different from any particular state. Although this idea is entirely different from the objects in which it appears, it cannot exist without those objects. There could not be an Idea of horse, had there been no horse. There could not be an Idea of a state, if no state existed. The Idea, therefore, has no independent existence of its own. They are, on the contrary, immanent in the transitory nature of things, as the Idea of a horse is immanent in horses and the Idea of a State is immanent in states. Although this Idea is not separate from the object of change, even then it is eternal. It is in fact the law according to which a thing behaves, for that is permanent and does not change with the changing thing, that it is not separate from the thing but is nevertheless distinguishable from it.¹³

The Idea is then the name of the quality in all things. That common quality for Plato is the essence of the thing, and the essences of all things constitute the world of Ideas. These essences or "forms", "ideas" are Socratic definitions converted into eternal beings, having, as it appears from the writings of Plato, their own existence, constituting their own order, the true world of authentic being, whose hierarchy and pattern revolves around and is determined by the Idea of the Good.

These "Ideas" are eternal, they are absolute, they constitute a divine order of reality transcendent to human knowledge or earthly existence. Again, they can be known through the dialectical operations of mind disciplined and purified of sensuous experience; they are immanent; it is their being which informs and constitutes empirical and understandable and livable reality.¹⁴ They are the forms in which the supreme Idea of the Good manifests itself in the order of the world. Again, they are the forms which constitute the beauty of any beautiful object. They are the remembered eternities of beauty which the senses stir the soul to remember. They are the objects of all longing and aspiration, and what is really loved in anything beloved. They can be known, they can be thought; they can be remembered from the discarnate existence before writer when the mind lived among them; they can be loved in acts of ultimate and intuitive vision; they can be adored as the term toward which life and passion move. The business of education is to turn the eye of the soul from the seductions and illusions of sense to these divine eternal patterns bound together in the "empire of the gods" by the Idea of the Good, which transcends all thought and all being, and is the goal of both¹⁵.

As a child may look upon his father, seeing in him an ideal, a unique model, a god-like personification of his own aspiration; the embodiment of perfection, of wisdom, of stability, glory and virtue; the power which created him before his world began; which now preserves and sustains him; and in 'virtue' of which he exists; so Plato looks upon the forms or Ideas. The Platonic Idea is the original and the origin of the thing, the reason of its existence—the stable, sustaining principle in 'virtue' of which it exists. It is the virtue of the thing, its ideal, its perfection.¹⁶

The Idea, therefore, is what makes things, what they are. As for example, all horses in the world, however much they may differ, have one quality in common. It is that quality by reason of which they are horses. That quality is horsiness. The Idea of Horsiness is thus the source of the common quality that all horses possess. It is also a perfect example of a horse. In some degree or the other all horses are imperfect. But in the Idea of a horse there is no imperfection. Consequently, if we want to know what is a good horse, then we must try to discover how closely it approximates to the Idea of a horse.

14. Irwin Edman, *op. cit.*, p. 37.

15. *Ibid.*, pp. 37-38.

16. K. R. Popper, *op. cit.*, p. 26.

Again if we want to know what is a good state, it must then approximate to the Idea of a State—an Idea of the State which is laid up in heaven.

It is to be noted that Plato's discovery of Idea as the ultimate reality has led to the development of concept of two worlds. On the one hand we find that there is a world of objects and on the other hand there is the world of Ideas. All objects of the world like man, state, horse, donkey and monkey and so on, constitute the world of objectivity. But the Ideas of all these objects which Plato calls as the essence of all things, constitute the world of Ideas. It is maintained by Plato that the world of Ideas is real world ; and the world of objects is unreal world. Plato calls this world of objects as a world of shadows. Of course we believe our own everyday world to be the only real world, for we are like the prisoners in the cave who have never seen the light and of whom it must be said, "Then surely such persons would hold the shadows of those manufactured articles to be the only realities".¹⁷ Our dimness of vision is to be deplored, but the fact of the existence of this real world of archetypes in which there is a model of each class of things is not to be denied.¹⁸ Moreover, Plato urges, if we were not so blind we would see that beyond these Ideas, these models, these archetypes, there is the Idea of all Ideas, the model of all models, the prototype of all archetypes—the Idea of the Good.

4. *The Existence of the Idea of Good* : Plato calls this Idea of Good as the final and independent reality existing "itself by itself". This Idea is the source of all goodness. It is that by virtue of participation in which men are good. Hence, Plato concludes that the good exists, whatever men may think about it.¹⁹ And because the Good exists, therefore, individuals may hope to escape from their predicament. They were unable to do so, as long as they had only opinion to go by. For there was nothing to choose between the many opinions that men had formed about the good life. They were all mistaken and all misleading. But, if men can comprehend the Idea of the Good, they will have laid the whole of truth, they will have passed from mere opinion which confirmed them in evil to knowledge which will draw them irresistibly to good, and only in following after good will they find respite from their many afflictions.²⁰

17. C. L. Wayper, *op. cit* , p. 19.

18. *Ibid.*, pp. 19-20.

19. *Ibid.*, p. 20.

20. *Ibid.*, p. 20.

5. *Plato's Conception of the Idea of Good*: The knowledge of the Platonic conception of the Idea of Good is necessary for the understanding not only of Plato but of Greek philosophy in general.²¹ Plato proceeds to say that it is at once, firstly, the end of life, that is the supreme object of all desire and aspiration; secondly, the condition of knowledge or that which makes the world intelligible and the human mind intelligent; thirdly, the creative and sustaining cause of the world. "To understand it", says Prof. Nettleship, "we must banish from our minds at starting the ordinary moral associations of our word 'a good man'."²² The phrase "good man" simply means a man good at some work or function implied by the context. As to the philosophers among the Greeks the 'good' meant the object of desire, that which is most worth having, that which we most want.²³ In the *Phaedo* the good is represented as the final cause of the world, which is what in the truest sense makes and holds together the world; it is contrasted with what are ordinarily called material causes, which Plato calls "the conditions without which the cause would not be a cause".²⁴ In the "*Philebus*" it is represented as manifesting itself in three principal forms, truth, beauty and proportion²⁵; but under all its aspects, it is the principle of the order of the universe. In the *Timaeus*, where Plato describes in 'picture language' the creation of the world, the creator embodies to a great extent, in a personal and mythological form, the same attributes as are ascribed to the form of the good in the *Republic*.

We may summarize here the passage in which the conception of the 'good' is introduced in the *Republic*. Certain preliminary and more or less accepted notions of the good are first brought forward. In the first place everybody allows that, whatever else the good means, it is that which gives all other things their value. We must not think of it as a thing that can be taken from or added to health and the rest, it is simply that in everything which makes it really worth having; all men, philosophers and others alike, assume this. Plato goes on to mention two current theories as to what is most worth having in the world. Some call pleasure the good, holding that what we want is to feel pleased, to get enjoyment. Others call

21. R. L. Nettleship, *Lectures on the Republic of Plato*, 2nd edition, (London), 1958, p. 218.

22. *Ibid.*, p. 218.

23. *Ibid.*, pp. 218-219.

24. *Phaedo*, 97 B to 99 C.

25. *Philebus*, 64 B to 65 A.

intelligence the good, holding that what we want is to understand things. Plato also points out where they both fall short. Those who make pleasant feeling the one object of life are obliged to allow distinctions of good and evil in pleasure, and this at once introduces a standard other than pleasure. So again those, who say that understanding is the true good, are obliged to import into their definition the very conception that they suppose themselves to be defining; for when asked the question, 'understanding of what?' they answer, 'understanding of the good', so that both parties are full of inconsistency. But amid all this inconsistency one thing is certain, that people are in earnest on this matter, and that when they talk about the good they mean something real. Many are found quite willing to put up with the appearance of morality, there the appearance has a certain value; but nobody would willingly put up with the appearance of the good, for the good, their own good, is what people really want. But it is first this real thing about which they are so much in the dark; every soul surmises that there is something of this sort, something in comparison with which nothing else is worth having; but every soul is in doubt what it is, and is without any sure or permanent belief about it. About this very uncertainty makes us miss what is good in other things; our being in the dark about the real or ultimate good reacts on our ideas of the ordinary 'good things', commonly so called, and makes our aims uncertain. Certainly then this ultimate good is the one thing about which men who are going to govern the state should not be in the dark.²⁶

After this preliminary survey of accepted beliefs and diverse theories, Plato explains that good "meant unity in which all time and existence were gathered up. It was the truth of all things, and also the light in which they come forth, and become evident to intelligence, human and divine. It was the cause of all things, the power by which they were brought into being. It was the universal reason divested of a human personality. It was the life as well as the light of the world, all knowledge and all power were comprehended in it. The way to it was through the mathematical sciences, and these too were dependent on it".²⁷ Paraphrasing Plato's Idea of the Good, Prof. Jowett says that it means "intelligent principle of law and order in the universe, embracing equally man and nature". "Viewed objectively, the idea of the Good is a power or cause which makes the world without correspond with the world within".

26. R. L. Nettleship, *op. cit.*, pp. 233-34.

27. *Republic* (Jowett's Translation), Vol. II, p. 24.

Plato again explains his conception of the good by an analogy importing from the world of physical phenomena. The analogy of the sun that he gives is not merely an illustrative simile, but expresses to Plato's mind a real analogy between the phenomena of the sensible world and the non-sensible principles they express.²⁸ He works out the comparison of the good with the sun through a theory of light and of vision. Firstly, the good is the source of intelligence in the mind and intelligibility in the object, just as the sun is the source of vision in the eye and of visibility in its object. Truth is the reflection of the good ; the world is intelligible and the soul intelligent in proportion as the good is strongly or weakly reflected. Just as in a sense there are colours and vision without light, so we may speak of an object and a mind as being potentially intelligible and intelligent ; yet there is not really intelligence and truth until the good shines upon the mind and the world. Secondly, as the sun is the source not only of light and vision, but also of the actual generation and growth of the organic world, so the good is the source not only of truth and knowledge, but actually of the life and being of the world. The world as it is to sense is the image and the product of the good, and the world as it is to intelligence is also the image and the product of the good, so we might say, the whole world, whether as it is to sense or as it is to intelligence, whether in its more superficial or in its more profound aspect, reflects the good.²⁹

It is now obvious that to Plato, the Idea of the Good is not merely an abstract conception, nor is it identical with any particular existing object ; it reveals itself in everything that truly exists. It is the source of all truth, of knowledge, of beauty and of moral goodness.³⁰ Its apprehension by the soul is knowledge, its indwelling in the soul is virtue, its shining forth to the soul through the medium of sense—is beauty. Its manifestation in the state is justice.³¹

6. *Culmination of Plato's Philosophy in the Attainment of the Idea of Good*: The entire philosophy of Plato culminates in the attainment of the Idea of Good. Plato believed that all men wanted to attain happiness by making a success of their lives in the best sense of the term. This happiness and success came out of and were identifiable with goodness. A 'good' man is one who "conducts his

28. R. L. Nettleship, *op. cit.*, p. 235.

29. *Ibid.*, pp. 236-237

30. Constantine Ritter, *The Essence of Plato's Philosophy*, p. 158.

31. *Ibid.*, p. 159.

own affairs, those of his household, those of the city well". Through success in life, in the best sense of the word, is to possess 'good'. This makes Plato primarily an ethical philosopher. The remedy for curing the ills and promoting goodness in the life of citizens is provided by political means. Throughout the chief aim of Plato has been the creation of an ideal state because Plato was convinced that it is only in an ideal state that the ideal citizens can be found. The chief purpose of all theories of Plato in the Ideal State whether Justice, Communism or Education has been to prepare the citizens to do the duties of their stations and to understand those duties without any doubt and with all clearness of vision. It is this understanding and performance of duties assigned to each, that make them truly good.

7. *Value and Criticism of Plato's Theory of Ideas*—The greatest value of Plato's Theory of Ideas is, that he gave to an abstract principle an independent existence. Out of this perishable world he tried to create something imperishable. "He conceives of truth in the form of abstract, self-existent ideas, knowable only by an exceptionally endowed few". But his mistake, as Willoughby has pointed out, consists in exalting the universal into "transcendental entity instead of an immanent principle". But whatever might have been the mystics and metaphysics that surround his theory of Ideas, the fact, however, remains that it helped him in the exploration of true knowledge whose only possession makes a man virtuous and good.

CHAPTER 7

"THE CONSTRUCTION OF THE IDEAL STATE", IDEAL STATE—AND ITS "THEORY OF JUSTICE"

"Justice is Plato's name for that kind of individual life where every part of soul does its own business; that life of the state where each individual and each class performs its appropriate function."

—(Jowett : *The Philosophy of Plato*).

1. *Background of Plato's Theory of Justice*: Plato regarded Justice as the true principle of social life.¹ The Republic, therefore, is called "a treatise concerning justice". It constitutes the most important part of his political philosophy. Dr. Barker, therefore, has rightly pointed out that, "Justice is the hinge of his thought, and the text of his discourse".² In his contemporary world, Plato saw 'stasis' everywhere—cities so divided that their citizens stood "in the state and posture of gladiators" against one another. He saw unrighteousness rampant and injustice enthroned.³ He saw ignorance supreme and parading up and down in the guise of knowledge.⁴ Thinking

1. E. Barker, *Greek Political Theory—Plato and his Predecessors*, 4th edition, 1952 (London), p. 153.

2. *Ibid.*, p. 153.

3. C. L. Wayper, *Political Thought*, 1st edition, 1954 (England), p. 16.

4. *Ibid.*, p. 16.

mainly of the Athenian democracy in which he lived and at the hand of which Socrates had been killed, he found the contemporary politics of his day dominated by two things. One was the ignorance and the other was a political selfishness which divided every city into two hostile cities. "To create efficiency in the place of amateur incompetence—to replace selfishness and civil discord by harmony—these are therefore his aims, and 'specialization' and 'unification' are, therefore, his watchwords. To these two aims the political teaching of the Republic is addressed".⁵ The far-seeing eyes of the philosopher could foresee that any plan for perfecting the city-state will not be complete unless it meets incompetence and factionalism which were the two fundamental political evils of the day.⁶ Plato found in justice the remedy for curing these evils.

2. *Various Theories of Justice* : It is to be noted that before Plato many theories of justice were prevalent. The enquiry about justice goes from the crudest to the most refined interpretation of it. Plato tries to review a number of traditional theories of justice which represented successive stages in the growth of nations about morality and justice. Plato rejects all these theories one by one and he propounds his own theory of justice. We shall, therefore, examine, first of all, these theories one by one.

(i) *The Traditional Theory of Cephalus* : The traditional theory of justice was developed by Cephalus who was a resident alien in Athens. Cephalus was a representative of traditional morality of the ancient trading class. According to him "justice consists in speaking the truth and paying one's debt".⁷ Polemarchus, the son of Cephalus, champions the same old view of justice with a little alteration. According to him "justice seems to consist in giving what is proper to him".⁸ The simple implication of this conception of justice is that justice lies in giving due, that is to say, doing good to friends and harm to enemies.

This traditional theory of justice as propounded by Cephalus and Polemarchus was criticised by Plato. The view point of Cephalus was criticised on the ground that there may be cases in which to adhere to the letter of this formula may involve the violation of the spirit of right and this formula does not admit of being taken as a sound universal principle of life. It is not right to restore deadly

5. E. Barker, above cited, p. 149.

6. G. H. Sabine, *A History of Political Theory*, p. 52.

7. *Plato's Republic*, Jowett's Translation, p. 9 (331 C).

8. *Ibid.*, p. 10 (332 C).

weapon to a man after he has gone mad. The contention of Polemarchus was condemned by Plato on the ground that it was so easy to speak of giving good to friend and evil to enemies. But what will happen in that case if the friend is only a friend in seeming, and an enemy in reality? What should he do under these circumstances? Whether he should rigidly follow the definition, and do him good, or may one use discretion, and do him evil? Moreover, to do evil to anybody, including one's enemies, was inconsistent with the most elementary conception of morality. One thing is quite clear from this conception of justice that it regulates the relations between individuals on individualistic principles and ignores the society as a whole. To Plato justice is a principle of social service by which each individual renders his service to the life of the society according to his own capacity.

(ii) *The Radical Theory of Thrasymachus*: The radical theory of justice was propounded by Thrasymachus who represented the new and critical view of the later 5th century B.C. He defines justice as "the interest of the stronger"⁹. In other words, might is right, a man ought to do what he can do, and deserves what he can get. For while every man acts for himself, and tries to get what he can, the strongest is sure to get what he wants; and as in a state the government is the strongest, it will try to get, and it will get, whatever it wants for itself. As such justice is synonymous with what is expedient for the governors. But if justice consists in whatever is for the ruler's interest, it may further be defined as "another's good". To be just in this way is to be a means to the satisfaction of the ruler. To be unjust is to act for the satisfaction of oneself. But in the view of Thrasymachus there is no reason, why it should be just for the ruler to get his own way, and yet, at the same time, unjust for others to do the like. What is true of the one is true of the rest, the real standard of action for any sensible man is to satisfy himself; and therefore, injustice is better, and not justice, is the real virtue and the true wisdom for all sensible men. Thrasymachus, in this way, has taken two positions.

- (a) that a government governs for its own benefit and
- (b) that injustice is better than justice.

These two positions taken by Thrasymachus were met by Plato. The former stand is met by Plato through Socratic conception of government as an art. The aim and object of every art is the

well-being of its material. The perfect teacher, as for example, is he who can remedy all the defects, and elicit all the possibilities of his pupil's mind. And, therefore, the ruler who presides over the destiny of a government is an artist. And because he is an artist, therefore he acts in accordance with his art and in doing so he is absolutely unselfish. His aim is the well-being of his citizens who are placed under his charge. The second stand taken by Thrasymachus was met by Plato through an argument to prove that the just man is wiser, stronger, and happier man than the unjust. He is wiser because he acknowledges the principle of limit. The just man is also stronger. He is stronger in the strength of a principle which binds him to his fellows. He is also happier because his soul possesses the virtue of good living. Nothing can discharge its function if it is deprived of its virtue; and the soul cannot discharge its function if it is destitute of its proper virtue. The virtue of the eye is clear vision, the virtue of the ear is good hearing. Now the soul has its appointed function: and the soul has its corresponding virtue or excellence. But the soul, which is more virtuous or in other words more just, is also the happier soul. And because happiness is more profitable than misery, it follows that justice, as it is happier, is also a more profitable state than injustice.

(iii) *The Pragmatic Theory of Glaucon*: After successfully challenging the Sophistic radicalism of Thrasymachus, Plato examines the pragmatic theory of Glaucon which regards justice as "the interest of the weaker". It is the child of fear. "It is a mean or compromise between the best of all, which is to do injustice and not be punished, and the worst of all, which is to suffer justice without the power of retaliation".¹⁰ "The thesis which for the sake of argument has been maintained by Glaucon, is the converse of that of Thrasymachus—not right is the interest of the stronger, but right is the necessity of the weaker—might is still right, but the might is the weakness of the many combined against the strength of the few".¹¹ Glaucon describes the historical evolution of society where justice as a necessity had become the shield of the weaker. In the primitive stage of society without law and government, man was free to do whatever he liked. Consequently the stronger few enjoyed life at the sufferance of the weaker many. The weaker, however, realised that they suffered more injustice than they could inflict.

10. *Plato's Republic*, Jowett's Translation, p. 46 (359 A).

11. B. Jowett, *The Works of Plato*, p. 37.

Faced with this situation they came to an agreement and instituted law and government through a sort of social contract, whereby they preached the philosophy of just and legitimate action. Created, in this way, therefore, justice is something artificial and unnatural, the "product of convention" and the "child of fear". It is through this artificial rule of justice and law that the natural selfishness of man is chained—a dictate of the weaker many, for the interest of the weaker many, as against the natural and superior power of the stronger few. In short, therefore, law and government are against nature, and the so-called "justice" of society is really one which is perpetuated by the combined force of the weaker.

Plato also criticised this stand taken by Glaucon. "But Plato's method of answering Glaucon's position is simpler and more elemental".¹² Plato realises that all theories propounded by Cephalus, Thrasymachus and Glaucon contained one common element. That one common element was, that all of them treated justice as something external "an accomplishment, an importation, or a convention, they have, none of them, carried it into the soul or considered it in the place of its habitation".¹³ That is why Plato set himself to prove that justice does not depend upon a chance convention or upon external force. But on the contrary, it is from everlasting to everlasting. It is the right condition of the human soul, demanded by the very nature of man when seen in the fulness of his environment. It is in this way that Plato has condemned the position taken by Glaucon that justice is something which is external. According to Plato it is internal as it resides in the human soul. "It is now regarded as an inward grace, and its understanding is shown to involve a study of the inner man".¹⁴ It is therefore natural and not artificial. It is, therefore, not born of the fear of the weak but of the longing of the human soul to do a duty according to its nature. It is in this way that after exploding all the theories of his day, Plato propounded his own theory of justice.

3. *Plato's Theory of Justice*: Justice is the very foundation of Plato's political philosophy. This is the keystone upon which the whole of his Republic revolved. To comprehend Plato's conception of justice, it is to be borne in mind that Plato strikes an analogy between the human organism on the one hand and social organism

12. E. Barker, *op. cit.*, p. 161.

13. *Ibid.*, p. 161.

14. E. Barker, *op. cit.*, p. 161.

on the other. Human organism, according to Plato, contains three elements—Reason, Spirit and Appetite. According to Prof. Sabine, “These three aptitudes imply on the psychological side three vital powers or ‘souls’, that which includes the appetitive or nutritive faculties and which Plato supposes to reside below the diaphragm, that which is ‘spirited’ resides in the chest, and that which knows or thinks, the ‘rational’ which is situated in the head”.¹⁵ Corresponding to these three elements in human nature, there are three classes in the social organism—philosopher class or the ruling class which is the representative of reason and which stands at the summit of social and political pyramid; auxiliaries, a class of warriors and defenders of the country is the representative of ‘appetitive’ instinct of the community which consists of farmers, artisans and are at the lowest rung of the ladder. Thus weaving a web between the human organism and the social organism, Plato asserts that functional specialization demands from every social class to specialise itself in the station of life allotted to it. The ruling class, earmarked for ruling over the people, should acquire more and more knowledge to guide the ship of the state rightly and properly. They must become the master of the work which is entrusted to them. Similarly, the auxiliaries, who are concerned with the defence of the state, should always be prepared to assist the ruling class in the discharge of its duties. Likewise the appetitive section of the community, who are meant to provide essential mercantile goods to the community, should wholeheartedly devote themselves to the task of production. Justice, therefore, to Plato is like a manuscript which exists in two copies, and one of these is larger than the other. It exists both in the individual and the state. But it exists on a larger scale and in a more visible form in the state.¹⁶ Individually justice is “the disposition which makes a man refrain from an act recommended by desire or by his apparent interest, through obedience to a belief that he ought not to perform it”. Socially, justice is the self-restraint of a class or a group not to interfere with the legitimate rights and functions of the other classes for furthering its own selfish interest. Individually, justice is a ‘human virtue’ that makes a man self-consistent and good: socially, justice is a political consciousness that makes a state internally harmonious and good. Individually, “Justice meant...that a man should do his work in the station of his life to which he was

15. G. H. Sabine, *A History of Political Theory* (1949), p. 58.

16. E. Barker, *op cit.*, p. 161.

called by his capacities". Socially, justice meant that a class should do its work in that social cadre or political plan to which it was called by its peculiar propensities.

Justice is thus a sort of specialisation. It is simply the will to fulfil the duties of one's station, and not to meddle with the duties of another station, and its habitation is therefore in the mind of every citizen who does his duties in his appointed place. It is the original principle, laid down at the foundation of the state¹⁷, "that one man should practise one thing only, and that the thing to which his nature was best-adapted"¹⁸. Writing about Plato's conception of justice, Prof. R. L. Nettleship says, "It is that quality in an agent in virtue of which it does its particular work well"¹⁹. According to Prof. Foster, "Justice in Plato means very nearly what we mean by morality. It is the disposition which makes a man refrain from an act recommended by desire or by his parent interest, through obedience to a belief that he ought not to perform it"²⁰. True justice to Plato, therefore, consists in the principle of non-interference. According to Dr. Ronse, justice is "to do one's own business and not to meddle with many businesses"²¹. The state has been considered by Plato as a perfect whole in which each individual, which is its element, functions not for itself but for the health of the whole. Every element fulfils its appropriate function like the pieces in a perfect orchestra. Justice in the Platonic state would, therefore, be like that harmony of relationship whereby the planets are held together in their orderly movement. Plato was convinced that a society which is so organized is fit for survival. Where men are out of their natural places, where the businessmen subordinate the statesman, or the soldier usurps the position of the king—there the co-ordination of parts is destroyed, the joints decay, the society disintegrates and dissolves. Justice, therefore, is the citizens' sense of duties. This consciousness of the discharge of public duty makes this justice social all through and through. Commenting upon this conception of justice Dr. E. Barker has rightly observed that it is a social justice which consists "of different types of men (producing type, the military type, the ruling type), who have combined under the impulse of their need for one another, and by

17. *Ibid.*, p. 176.

18. *Republic*, Book IV, 433-A.

19. R. L. Nettleship, *Lectures on the Republic of Plato*, p. 35

20. M. B. Foster, *Masters of Political Thought*, Vol. I, 1956 (London),

pp. 36-37.

21. Dr. Ronse, *Great Dialogues of Plato*, p. 212.

their combination in one society, and their concentration on their separate functions, have made a whole which is perfect because it is the product and the image of the whole of the human mind".²² Plato's ideal society is thus a "unity, but not a uniformity: for it contains the greatest degree of diversity within itself. Each member has a special contribution of his own to make in accordance with his natural capacities, and together they form a society bound together in mutual friendliness and co-operation".²³ It channelises the energy of each of its members and each of its classes in such a way that they do not come in to conflict with each other. This justice of Plato, therefore, becomes a regulating principle responsible for the betterment of the whole. It discharges that responsibility by delimiting the boundary for the individual and the class.

4. *Value of Plato's Theory of Justice* : (i) Plato's conception of justice was a thesis against that individualism preached by the Sophists which had created almost anarchic conditions in the Greek society of that day. According to Dr. Barker, "such a conception of justice is final and ultimate answer to the individualism in life and in theory which Plato combated. The conception postulates a view of the individual as not an isolated self, but part of an order, intended not to pursue the pleasure of isolated self, but to fill an appointed place in that order. The individual is not a whole, and cannot be treated as such: the state is a whole, and it must enforce upon the individual the fact that it is, by treating him as a factor and a fraction of itself".²⁴

(ii) Secondly, Plato's justice is essentially universal in character. It is the another name of the "whole duty of man". "He goes far beyond the law and has little patience with the 'narrow, keen, little legal mind'²⁵, that would limit the moral life of man to the mere observance of legal rules. He rises above Aristotle, and even anticipates Christ in advocating the recompense of evil with good".²⁶

(iii) According to Prof. Dunning, Plato's conception of justice "on the political side proper brings out in highest relief, first, the necessity of an organic unity in social life; second, the importance

22. E. Barker, *op. cit.*, pp. 176-177.

23. G. C. Field, *The Philosophy of Plato*, p. 85.

24. E. Barker, *op. cit.*, p. 177.

25. *Theaetetus*, p. 175.

26. C. H. Macilwain, *The Growth of Political Thought in the West*, (New York), 1932, p. 30.

of systematic education, as contrasted with the haphazard legislation, in regulating the common interest ; and third, the rational basis of aristocracy in government".²⁷

(iv) Plato's conception of justice endows the state with a will and a personality of its own having its independent existence apart from its members. In this Plato anticipates the theory of Rousseau that the state has a general will of its own, and he also foreshadows the idealist doctrine of Bosanquet that the state is a working conception of mind. This point of view is also supported by Prof. Gettell. Writing in a similar strain he says, "while he did not conceive of the state as having an existence apart from the individuals composing it, he created an abstract idea of the state, which endowed it with an existence of its own, more real even than the individuals which it included".²⁸

(v) Plato's conception of justice makes a revolt against political selfishness and ignorance which were the very dominant features of Athenian society. Through his conception of justice he establishes a new conception of virtue which consisted in the discharge of a duty by every individual of his own station. Holding a similar point of view Goethe wrote, "The conception of political justice as the filling by each man of his appointed sphere is a conception of supreme value for Greek politics, resulting as it did in a view of public duty, and of public efficiency attended by special training, the very reverse of that political selfishness and political ignorance to which Plato characterised Greece".

(vi) Justice in Plato is a part of human virtue and at the same time a bond of state. It is that quality in men which makes them capable of entering into political relations with one another, and so of forming political societies. Societies are possible only in so far as each of their individual members exhibits self-restraint toward his fellow-members and refrains from doing or getting all that he has the ability to do or power to get.²⁹ It is a bond which joins men together in society. It is an identical quality which makes man good and which makes him social. This identification is the first and the fundamental principle of Plato's political philosophy.³⁰

(vii) Another great value of Plato's theory of justice is that it gave birth to the organic theory of the state which later received its fullest exposition at the hands of Herbert Spencer. Plato's theory of justice "with applicability to the community is characteristic of all Organic Theories of the State. According to such theories, morality depends upon the relationship of the individual to the state, and is measured by the individual's success in making the proper contribution to the needs of community. Moreover, the Organic Theory implies that the whole is more important and more valuable than the part, and that the part derives its value and, to some extent, its character, from its embodiment in the whole. This is obviously true of a part of a living body, since this cannot survive, as a living element, in separation from the body. Another important implication of an Organic Theory is that different parts have different degree of importance. Just as the stomach is a more important part of the human body than the tonsils, so an Organic Theory discriminates between the different levels of importance of different classes or individuals in the community. In short an Organic Theory asserts (a) that the state is an organism and (b) that its citizens are good in so far as they discharge their proper function within it".³¹ Plato's theory of justice contains all these elements of organic theory.

(viii) Another great significance of Plato's theory of justice is that it resolves the problem of individual liberty and the Leviathan state. The individuality of man is as much a creation of society, as is the society of man's nature. This conception of justice brings the final identification between the individual and the society to which he is born. "His position", as Prof. R. L. Nettleship says, "is that the life of the state is the life of the men composing it... When he speaks of the justice or courage of the state, he means the justice or courage of the citizens as shown in their public capacity. The justice of the state then is the justice of the individuals who compose it. We must bear in mind throughout Plato's argument that there is no state apart from the individual men and women who compose it".³² This argument of Prof. Nettleship is quite opposite to that as expressed by Prof. R. G. Gettell. But it will have to be admitted that both the arguments are quite true at their own places.

31. A. R. M. Murray, *An Introduction to Political Philosophy*, 2nd edition 1959 (London), p. 41.

32. R. L. Nettleship, *Lectures on the Republic of Plato*, London (1958), pp. 68-69.

(ix) Plato's conception of justice imports within the domain of political theory two great principles of division of labour and the specialization of function for efficiency and harmony in the state. "The division of labour and the specialization of tasks are the conditions of social co-operation, and the problem of the philosopher-king is to arrange these matters in the most advantageous way... The goal is, therefore, a perfect adjustment of human beings to the possibilities of significant employment which the state affords".³³

(x) Lastly the significance of Plato's theory of justice lies in the fact that it is the forerunner of the psychological explanation of the state. As Plato himself says in the Republic, "States do not come out of an oak or a rock, but from the characters of the men, that dwell therein".³⁴ By means of a physiological and ethical analogy between the nature of man and of the state, based upon the conception of three distinct faculties, reason, courage and desire, he reaches the conclusion that the state must include three classes: labourers, to supply man's physical wants, warriors to protect the labourers and to safeguard the state's territory; and magistrates, to regulate the community for purposes of general welfare. Each individual in the state is to be assigned to the class for which he is best fitted.³⁵

5. *Criticism of Plato's Theory of Justice*: In spite of the great value attached to the Platonic theory of justice, the theory is not allowed to go unchallenged by the critics. The points of criticism against Plato's conception of justice may be given as follows:

(i) Plato's conception of justice is moral and not legal. It does not deal with the clash of interests and thus fails to establish peace and order in society. To quote Prof. Sabine, "In no sense is it a juristic definition. For it lacks the notion, connoted by the Latin word *ius* and the English word right, of power of voluntary action in the exercise of which a man will be protected by law and supported by the authority of the state".³⁶ This is "what we seek in a conception of justice".³⁷

(ii) Plato's justice is too subjective and hence it is no justice at all. It is made to rest on an indwelling spirit. It does not issue forth in a concrete juridical organization. On the contrary Plato is

33. G. H. Sabine, *op. cit.*, p. 61.

34. *Plato's Republic*, Jowett's Translation, p. 293, Book VII (544 D).

35. R. G. Gettell, *op. cit.*, pp. 44-45.

36. G. H. Sabine, *op. cit.*, p. 60.

37. E. Barker, *op. cit.*, p. 178.

an enemy of law. He confuses between moral duty and legal obligation.³⁸

(iii) Plato's justice demands intense devotion to the state on the part of his individuals. The reconciliation that he tries to effect between self-interest and public duty is not very satisfactory. It is a system of duties and not of rights. Both, in fact, should go hand in hand.

(iv) Plato designed his theory of justice for promoting the happiness of all in the state. But Plato's justice very much fails to achieve that object. This failure of Platonic justice to promote the happiness of all is vehemently criticised by his disciple Aristotle. Plato in the Republic, says Aristotle, "deprives the guardians of happiness, and says that the legislator ought to make the whole state happy. But the whole cannot be happy unless most, or all, or or some of its parts enjoy happiness. In this respect happiness is not like the even principle in numbers, which may exist only in the whole, but in none of the parts; not so happiness. And if the guardians are not happy, who are? Surely not the artisans, or the common people".³⁹

(v) Platonic conception of justice is based on the principle "one man one work". This principle militates against the all round development of human personality. It deprives the community of a full and rich variety of social life. It keeps the individual strictly within the sphere of his own station. It thus denies him opportunities for further development and social recognition in life. Human life, in fact, demands fresh and ever-expanding opportunities for continuous improvement.

(vi) Plato's theory of justice gives monopoly of power to the philosopher-king. Such a monopoly of political power in the hands of one class is bound to degenerate that class howsoever morally and spiritually well-trained that class might be. Plato does not provide any constructional safeguards in the Republic against the abuse of unlimited power. The power that he assigns to the ruling class remains unbounded by customs and as well as the agency of law. This led Prof. Crossman to say that "Plato's philosophy is the most savage and the most profound attack upon liberal ideas which history can show. It denies every axiom of 'progressive' thought and challenges all its fondest ideals. Equality, freedom, self-government

38. Gomperz, *Greek Thinkers*, III, p. 75.

39. *Politics*, II p. 5.

all are condemned as illusions which can be held only by idealists whose sympathies are stronger than their sense".⁴⁰

(vii) Lastly Plato has separated very arbitrarily the individuals of his society into three categories, men of gold, men of silver and men of iron, on the basis of their different elements of soul—reason, spirit and appetite. To condemn a man to one special function is to assume that he is all 'reason' or all 'spirit' or all 'appetite'. But the fact remains that an average human being has all these elements in him which demand both expression and satisfaction. It is, in this way, that Plato's theory of justice has been criticised for what it omits and what it excludes.

40. R. H. S. Crossman, *Plato To-day*, 2nd edition, 1959, p. 92, George Allen & Unwin (London).

IDEAL STATE AND ITS THEORY OF EDUCATION

“The object of education is to turn the eye which the soul already possesses to the light. The whole function of education is not to put knowledge into the soul, but to bring out the best things that are latent in the soul, and to do so by directing it to the right objects. The problem of education, then, is to give it the right surrounding.”

—(*Plato's Republic, Book VII, 518*)

1. *Education as the handmaid of Justice* : No scheme of human life was so important to Plato as education. He himself calls it as “the one great thing”. Plato’s justice demanded that every one should do his own according to the nature that entitled him for a particular function or an office. Birth as a criterion for distributing functions had been rejected by Plato. In its place he had substituted ‘capacity’ or ‘nature’ as a standard. Plato, therefore, suggested that functions and offices must be distributed after carefully ascertaining of a man’s nature. It is a principle of justice, and to this requirement, Plato’s theory of education was an indispensable necessity. It was a positive remedy for the operation of justice in the ideal state. There is, thus, an organic connection between Plato’s theory of justice and his theory of education.

2. *Spartan Influence on Plato's Scheme of Education* : In his scheme of education Plato was greatly influenced by Spartan system of education. Early in Spartan history there was developed, and for centuries there was maintained, a rigorous system of state-training. It was at the age of seven that the Spartan youth was taken from his parents and his education was entrusted to an official of the state. In the Spartan system the family had no control over the education of its members. The state was controlling all aspects of education. Arranged in 'houses' each under its 'prefect', the Spartan youths were trained, something after the manner of a primitive public school, in the rigours of athletics and in preparation for war. The training was definitely intended to inculcate the 'top' of military quality on which the life of the Spartan community depended.¹ The great purpose of education at Sparta was to develop courage through test and trials which were sometimes almost barbarous.² The Spartan youths while receiving education were invariably flogged at their back in order to harden them for their war duties. Women as well as men, if in a less degree, were subjected to the rigours of the same system.³ The one great drawback of this system of education was that it developed courage and physique both at the neglect of mind and soul. Plato borrowed from Sparta the social aspect of education that it must be controlled by the state with a view to preparing citizens to find their place in society. Unlike Sparta the Platonic system of education aimed at

CHAPTER 8

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1. E. Barker, *Greek Political Theory*, pp. 184-185.

2. *Ibid.*, p. 185.

3. *Ibid.*, p. 185.

4. *Ibid.*, p. 181.

5. R. L. Nettleship, *Lectures on the Republic of Plato* (London), 1958.

3. *Plato's Theory of Education* : Plato sees in education the only true way to the permanent stability of the state. The hope of moulding the citizens to the system of the community by legislation must always be futile. If the character of the people is sound, laws are unnecessary ; if unsound, laws are useless.⁶ It is with this conviction that Plato starts to emphasize the importance of education in his ideal state. We in the 20th century believe that the road to better government and public service is through an appropriately conceived system of education. In fact, the origin of this idea goes back directly to Plato. The ultra modern and rapidly-growing realization of education as a never ending process, embracing adults as well as the young, was propounded by him. He clearly saw that education was more than the acquiring of basic facts and ideas in one's childhood and adolescence, and was the first to propose an elaborate system of adult training and education.⁷

Plato's general view of education is most forcibly expressed in Book VII of the Republic. In that book he sets forth the object of education, which is to turn the eye towards the light which the soul already possesses. What he really wants to say is, that the whole function of education is not to put knowledge into the soul, but to bring out the best things that are latent in the soul, and to do so by directing it to the right objects. But how is this to be done ? Plato's answer to this question is that it can be done by providing the human soul the right type of surroundings. That is why education in the case of Plato means bringing of the soul into that environment, which in each stage of its growth is best suited for its development.⁸ The overwhelming importance that Plato attaches to environment is described in Book VI of the Republic.⁹ There he describes human soul as living organism, and says that, just as a plant when sown in the ground develops according to the soil and the atmosphere it lives in, so it is with the soul.¹⁰ The problem of education, then, is to give it the right type of environment which the human soul demands for its proper development. The environment should, however, be provided according to the stages of the human soul.

6. W. A. Dunning, *Political Theories—Ancient and Medieval*, p. 31.

7. W. Ebenstein, *Introduction to Political Philosophy*, p. 14.

8. E. Barker, *op. cit.*, p. 181.

9. *Republic*, Book VI, 491 D.

10. *Ibid.*, 491 D.

In the Platonic system of education, 'because the main problem of education is simply to bring the soul into a particular surrounding, that is why, nothing is said of direct teaching. He does not talk of the steps by which an object of knowledge is to be presented to the mind. Plato always supposes that the mind is active. Objects are not presented to it; it directs itself to objects. It moves towards every object of its environment because there is in it an attraction towards every object. This active spiritual force the teacher never tries to touch—at any rate directly. The true business of the teacher, in fact, is to bring out what is best in his pupil: more truly, it causes of itself in response to the right objects, and it is in setting them before his pupils that the true art of the teacher lies.¹¹ In this there is something of the theory of "reminiscence" which was propounded by Plato in his dialogue, the *Meno*. The theory of reminiscence which is expounded by Plato says that our soul has seen in a former life all things which it learns in this world, and our learning is a mere remembrance of that life, which flashes to the mind when some fact of an object stirs what we may call an association of ideas. The object only gives a clue, the soul itself responds to its suggestion. But everything depends on the clue. The environment makes the soul, in the sense that the soul determines itself by its environment. He who would make the soul beautiful must set her in a fair posture. This is the reason of that high place which Plato assigns to art and specially to music as means of education.¹²

The next question for consideration is as to what instruments of education did Plato find ready to his hands? He found in literature the main instrument of education. 'Every Athenian gentleman was brought up on a system of what we should call general culture, studying the standard literature of his country; there might be added to this an elementary knowledge of some art, and the rudiments of the sciences of numbers and figures.¹³ The second instrument of education was gymnastics which was in common practice. He adopted these agencies as instruments of education and gave them a new and deeper significance.¹⁴ He conceived that in early life the main instruments for bringing out what was best in the soul were first, literature, beginning with stories for children and going on to poetry: secondly, music in our sense of the word,

11. E. Barker, *op. cit.*, p. 187.

12. *Ibid.*, p. 187.

13. R. L. Nettleship, *op. cit.*, p. 79.

14. *Ibid.*, p. 79.

playing and singing ; and thirdly, the plastic arts in general. All these come under the head of arts. What Plato, in fact, wanted was the regulation of culture which he regarded as a necessary step towards conditioning the individual mind. "Briefly it embraced all culture. And, by inquisition and index and spiritual directors, it was culture that Plato proposed to mould".¹⁵

4. *Plato's Scheme of Education* : Plato's scheme of education represents a state controlled system of compulsory education for both sexes. Every member of the state has to be prepared for a particular class either for ruling, fighting or producing class. The education which is imparted in the beginning is equal for all. Thus Plato maintains the principle of equality in education at least in the beginning of it. From the scheme it, however, appears that education in this system was meant for every one. But, in fact, if it is to be carefully observed, education in the Republic is exclusively meant for those who are to become the rulers of the ideal state. In such a system of education the art of citizenship is identified with the art of ruling. It is, therefore, a lopsided scheme where guardians alone are trained and educated. We shall examine it more critically later on. But here we are simply concerned with the organizational aspects of the scheme. Plato's system of education is divisible into two parts, namely, (a) Elementary Education and (b) The Higher Education, which we examine as follows :

(a) *Elementary Education* : In the Platonic scheme of education, education for the first ten years shall be predominantly physical. Every school should have a gymnasium and a play-ground. The entire curriculum of education will consist of play and sports and during this period of education the health of children will be so nicely developed so as to make all medicine unnecessary. It is unfortunate, says Plato, that by living a life of indolence and luxury, men have filled themselves like pools with waters and winds—flatulence and catarrh—is not this a disgrace?¹⁶, he asks. Plato declares that we cannot afford to have a nation of malingerers and invalids ; utopia must begin in the body of man.

But mere athletics and gymnastics will simply develop the physical side of life and Plato does not want to develop a nation of prize-fighters and weight lifters. The gentler side of life should also

15. George Catlin, *A History of the Political Philosophers*, p. 58.

16. *The Republic of Plato*, Book III, pp. 405-406 (pp. 110-11, Jowett's Translation).

be developed and Plato has recommended the study of music for the achievement of that object. Through music the soul learns harmony and rhythm, and also a disposition of justice because "he who is harmoniously constituted can never be unjust". Music also moulds character, and therefore shares in determining social and political issues. Music is also valuable because it brings refinement of feeling and character. It also preserves and restores health. There are some diseases which can be treated only through the mind, and mind can be cured through the musical medicine. Music lends grace and health to the soul and to the body. To be merely an athlete is to be nearly a savage; and to be merely a musician is to be "melted and softened beyond what is good".¹⁷ The two must be combined.

After sixteen the individual practice of music must be abandoned, though the choral singing may go on throughout life. Thus the education up to the age of seventeen or eighteen was to be a general education in music and gymnastics and also in the elements of science. Plato looked at poetry with disfavour; for poetry was an outrage on understanding and injuriously excited the feelings. It had an emotional rather than a rational appeal. Something of mathematics, history and science may also be taught. But these difficult subjects should be smoothed into verse and beautified with songs. But even these studies should not be forced upon the mind of the child. Plato's approach in imparting instructions, in this way, is very much psychological. Writing about the libertarian spirit in education Plato says:

"The elements of instruction should be presented to the mind in childhood, but not with any compulsion; for a freeman should be a freeman too in the acquisition of knowledge. Knowledge which is acquired under compulsion has no hold on the mind. Therefore do not use compulsion, but let early education be rather a sort of amusement; this will better enable you to find out the natural bent of the child".¹⁸

Plato also felt the necessity of moral education and that too is not neglected in the Republic. The members of a society should learn that they are the members of one society and that they should live in a spirit of harmony and co-operation. Plato knows it very well that men by nature are acquisitive, jealous, combative and

17. *The Republic of Plato*, Book III, p. 410 (p. 117, Jowett's Translation).

18. *The Republic of Plato*, Book VII, p. 536.

erotic and for correcting that nature a policeman's omnipresent club is a necessity. But soon he realizes that it is a brutal method, costly and irritating. There is a better way of imparting moral instructions, that is to say, the sanction of supernatural authority. We must, says Plato, have a religion and Plato also believes with conviction that a nation cannot be strong unless it believes in God. It will do us no harm to believe but it will do us and our children immeasurable good. From 18 to 20 there was to be an inclusive training in gymnastics, including military exercises calculated to develop courage and self-control, character and discipline.

(b) *Higher Education* : We shall face a very hard time when we arrive at the age of twenty and face the first great elimination test of what they have learnt in all these years of equal education. There shall be a ruthless weeding out and the examination will be both theoretical and practical. Those who fail in this elimination test will be assigned the economic work of the community—businessmen, clerks, factory workers and farmers.

Those who pass this elimination test will receive ten more years of education and training in body and mind. Natural and mathematical sciences are to be taught. Emphasis is laid on mathematics, including arithmetic, plane and solid geometry, astronomy and dialectics. At the age of 30 they will face the second elimination test which will be far severer than the first. Those who fail in this test will become the auxiliaries and executive aides and military officers of the state. It is natural that they may hesitate to go to their station in life. Plato in this connection says that, "we shall tell these young people that the divisions into which they have fallen are God-decreed and irrevocable. We shall tell them the myth of the metals and appeal to them in the name of God. "Citizens, you are brothers, yet God has framed you differently, men of gold, men of silver and men of iron".

But what about those lucky remnants that ride these successive waves of selection ? A further selection will be followed by another 5 years study of dialectics in order to see as to who is capable of freeing himself from sense perception. But even at this stage the education of the ruler is incomplete. After five years of study of dialectics, there come 15 years of practical experiences. During this period of 15 years, they will be exposed to all sorts of temptations. "They will be tried more thoroughly than gold is tried in the fire" so that the incorruptibility and self-control of the future rulers of the country may be established beyond doubt.

Now at the age of 50, those, who have stayed the course of this hard and long process of education, are to be introduced to their final task of governing their country and their fellow-citizens. They will pass most of their time in philosophical pursuits. "Yet, each when his turn comes is to devote himself to the hard duties of public life, and hold office for their country's sake, not as a desirable but an unavoidable occupation".

It is, in this way, after receiving a sort of perfection, as it were, the rulers will exercise power in the best interest of the state. The ideal state, thus, will be realised and its people, balanced in soul, will be just and happy.¹⁹

5. *Value of Plato's Theory of Education* : Plato attaches a great importance to education in removing hindrances from the path of the statesmen. It was not so much upon communism but upon education that Plato placed his main reliance. According to Prof. Sabine, "Education is the positive means by which the ruler can shape human nature in the right direction to produce a harmonious state".²⁰

The one great merit of Plato's theory of education is that the scheme is based upon the doctrine of equality of opportunity to all. Girls were also entitled to receive the same type of education as boys. In this respect Plato was very much ahead of his times where women were shut up from university life and were not allowed to participate in public life. To this right of women which was championed by Plato, Prof. G. H. Sabine gives his own interpretation. To quote Prof. Sabine, "This course is in no sense an argument for women's rights but merely a plan for making the whole supply of natural capacity available to the state".²¹

Another great advantage of Plato's theory of education is that it aims at the harmonious development of human personality. His scheme of education includes instructions for the training of body, mind and soul. The purpose was to produce the right type of individualities in the state.

A modern educator may learn very many things from Plato's theory of education. The importances of environment in the education of a child, imparting of education through successive

19. C. L. Wayper, *Political Thought*, pp. 30-33.

20. G. H. Sabine, *A History of Political Theory*, 3rd edition, 1949, p. 63.

21. *Ibid.*, pp. 64-65.

stages, proceeding from simple to complex, giving to the child an opportunity to play an active role in the process of learning, the system of selection of candidates for higher stages of education these are some of the doctrines of Plato which are involved in his scheme of education and by which the modern educators have greatly benefited themselves.

Its one great value was its purpose which was not material but spiritual. The purpose was the attainment of the Idea of Good. But the right point of view is that it is a curious amalgam between Platonic idealism and a realism which takes into account the necessities of a practical life.

6. *Defects of Plato's Theory of Education* : Plato's scheme of education has no place for vocational and technical education. Commenting upon this Prof. G. H. Sabine has observed, "It is extraordinary that Plato never discusses the training of the artisans and does not even make clear how, if at all, they are to be included in the plan of elementary instruction. This fact illustrates the surprising looseness and generality of his conclusions".²²

Plato's scheme of education is unjust and arbitrary so far as the producing class is concerned. Although by their contribution to production, they are entitled to a right of citizenship, but Plato does not allow them that right to enjoy. His education is simply meant for the rulers and administrators. The bulk of the citizens are deprived of the benefits of a free and compulsory education.

Plato's scheme of education minimizes the influence of literature and exaggerates the importance of mathematics on mind. The Platonic education will produce an ideal philosopher, not an ideal man of action, and, therefore, his scheme will suit the very few. The majority cannot be benefited by it.

In Plato's theory of education there is constant wavering between the ideal of action and that of contemplation. Sometimes the goal is the attainment of the Idea of the Good and sometimes to do the Social Service. At one time its aim is perfect self-development, at another social adaptation. And both these aims, it is obvious, are at cross-purposes.

Again, Plato's scheme of education condemns his guardians to a life of military monasticism. His education, extending to 35 years of age, will not only be expensive but it will also kill initiative in men at that age. The memory becomes dull and in the words of

R. L. Stevenson, the books begin to appear as "mighty bloodless substitutes". The scheme is thus self-defeating as the guardians remaining in education till the age of 35 will lose capacity for self-directed activity and will not be the true and efficient guardians of the state as desired by Plato.

Plato's scheme of education, again, is so arranged that the first part defeats the aim of the second, which is the more important part. The aim of the second part of education is to stimulate thought and free thinking. But this free thinking will hardly be possible in the face of accepted ideas and habits which are injected into their minds and hearts. The ingrained habits of accepted beliefs will make the guardians diehard Tories who will fear improvements and decry change. They will thus not be fit for governing the affairs of a state and their minds will always move in a fixed pattern. It involves a complete surrender of intellect and mind which the critics have characterised as intellectual slavery.

IDEAL STATE AND ITS "THEORY OF COMMUNISM"

"Plato's communism is a supplementary machinery to give effect to and reinforce that spirit which education is to create."

—R. L. Nettleship, "*Lectures on the Republic of Plato*".

1. *Communism as a handmaid of Justice*—Like education, Plato's communism was handmaid of his justice. If education was a positive remedy for the operation of justice in the ideal state, his communism was a negative remedy. Plato had an excessive distrust of human nature. In spite of so much education and training Plato could not be convinced that members of the ruling and military class stood completely reformed as to work on the altruistic motive. He could not be convinced that education had accomplished its task. For the remaining task he advocated communism as a sure remedy. Plato is also convinced that in the face of corrupting influences the rulers and soldiers will be shaken from acting according to those high ideals on which the very success of the ideal state depended. These corrupting influences, according to Plato, were family and property. Their continuance in the case of the ruling and defending classes, Plato regarded, as essentially dangerous. So that family and property may not become great impediments in the discharge of their duties, Plato is never weary of criticising them in the Republic.

As private property and family relationship, says Prof. Dunning, appear to be the chief sources of dissension in every community, neither is to have recognition in the perfect state.¹

2. *Two Main forms of Plato's Communism* : Plato's communism takes two main forms. The first is the abolition of private property which includes everything—house, land or money. The second was the abolition of family, what Prof. G. H. Sabine has characterised as the abolition of a permanent monogamous sexual relation and the substitution of regulated breeding at the behest of the rulers for the purpose of securing the best possible offsprings. All this was done in the name of justice and here again spiritual betterment was the ultimate aim.² Plato believed that conditions were most favourable for the life of spirit under a system of communism.³ Plato's idea of the "life of the spirit" does not carry any mysticism with it. It does not mean renunciation in any way. It simply means that certain important type of individuals should cease to be self-centered and that they should develop such community of feelings which will make them the real benefactors of society. They should treat them as a part of that social order whose misfortune was their misfortune and whose advantage was their advantage. The Platonic system of communism, in this way, invents a new social order, under which the governing class surrenders both family and private property and embraces a system of communism.⁴

3. *Partial Application of Plato's Communism* : Plato's ideal state consists of three different classes on the basis of their natural capacities. The rulers and soldiers make the guardian class. The third class of the ideal state includes all the rest of the people—the workers, labourers, artisans and clerks etc. Communism in the Republic is meant only for the guardians class, that is, for the rulers and soldiers, while the persons of the third category are left in possession of their private families, both property and wives. The unity of the state is to be secured; property and family stand in the way; therefore, property and marriage must go.⁵ Plato's communism, therefore has a strictly political purpose. In connection with Plato's theory of communism there is one thing which is to be noted, and it is this,

1. W. A. Dunning, *Political Theories—Ancient and Medieval*, Vol. I, p. 30.

2. E. Barker, *Greek Political Theory: Plato and his Predecessors*, p. 206.

3. *Ibid.*, p. 207.

4. *Ibid.*, p. 206.

5. G. H. Sabine, *A History of Political Theory*, 3rd edition, 1949, p. 63.

that Plato did not have anything to say about slaves, although the slaves constituted one-third part of the Athenian population. This has rightly led Prof. Constantin Ritter to argue that in the Republic slavery is "in principle abolished". Prof. G. H. Sabine does not agree with the point of view expressed by Constantin Ritter. His thesis is that it is almost incredible that Plato intended to abolish a universal institution without mentioning it. It is more probable that he merely regarded slavery as unimportant.⁶

4. *Character of Community of Property* : Property although an economic institution, has always been a subject of discussion in political theory. Karl Marx regarded it to be a very dangerous institution dividing society and affecting human relationship. But it was the private character of property which alone he condemned and criticised. Marx was convinced that if property was left uncontrolled it would lead to concentration of wealth in fewer and fewer hands, dividing cities, thus, into two classes of the rich and the poor without a common bond to hold them together. Bakunin regarded private property relating to the lower stage of man's development because it was associated with his physical desires. He describes it as the characteristic expression of the primitive nature of man. According to his theory, the whole evolution of man is from a condition in which animal impulses and physical restraints control the conduct of man towards conditions in which perfect liberty and ideal happiness prevail. Bakunin says that, according to the natural laws of human evolution, private property is destined to disappear. Prince Kropotkin also regarded private property an evil thing. He thought it to be a great hindrance to the progress of human society. Proudhon regarded it to be a theft and consequently he recommended for its abolition. The primary and economic object of these socialists or communists or anarchists, call them by any name, is the socialisation of the means of production by the whole community.

But Plato's communism of property is entirely different from all these socialists. There is no mention in the Republic of the socialisation of all the means of production. Plato is only concerned with the product which is to be partly socialised. The guardians who live under a system of communism are distinguished from the rest of the people by being partners in property. The members of the ruling classes do not possess any private property. Neither individually nor collectively do they own a single acre ; the land and its products are

6. G. H. Sabine, *op. cit.*, pp. 61-62.

in the hands of the third class of farmers and cultivators. They have no houses: they live 'encamped' in common barracks, which are always open and public.⁷ Plato deprives them of all gold and silver and tells them that the "diviner metal is within them, and they have therefore no need of the dross which is current among men, and ought not to pollute the divine by any such earthly admixture; for that commoner metal has been the source of many unholy deeds".⁸ They live without house, without land and without money. "But should they ever acquire homes or lands or money of their own, they will become housepeople, and husbandmen instead of guardians, enemies and tyrants instead of allies of the other citizens; hating and being hated, plotting and being plotted against, they will pass their whole life in much greater terror of internal than of external enemies, and the hour of ruin, both to themselves and to the rest of the state, will be at hand".⁹

But the pertinent question that arises in this connection is, as to what do they live on? The answer is that the guardians are to live on a salary paid to them in kind by the farming classes according to a regular assessment, a salary paid year by year, and consisting of such necessities as will suffice for the year. These necessities are not to be divided among the guardians for private consumption, they are to be consumed, like the Spartan system, at common tables. Plato's communism, it is obvious, therefore, is a way of asceticism and hence it parts company with modern socialism.¹⁰ Plato's communism, because it is ascetic, therefore, it is also aristocratic. "It is the way of surrender; and it is a surrender imposed on the best, and only on the best. It exists for the sake of the whole society, but not for the whole society. It exists only for the governing class. In that sense it is a political, and not an economic communism which Plato preaches. Its aim may be said to be the substitution of a trained and professional government, supported by a system of regular taxation, for an unprofessional and unpaid government".¹¹ According to Prof. Sabine, "Plato's order of ideas is exactly the reverse of that which has mainly animated modern socialist utopias; he does not

7. Plato's *Republic*, Book III (416), Jowett's Translation, p. 127, Random House, New York.

8. *Ibid.* (417), p. 127.

9. *Ibid.* (417), p. 127.

10. E. Barker, *op. cit.*, p. 212.

11. *Ibid.*, pp. 212-213.

mean to use government to equalize wealth, but he equalizes wealth in order to remove a disturbing influence in government".¹²

5. *Character of Community of Wives* : Plato's scheme of communism envisages not only community of property ; it also contemplates community of wives. He regards family affection, directed towards particular persons, as another potent rival to the state in competing for the loyalty of rulers.¹³ Plato wished the rulers of his ideal state to be troubled neither by distractions from their work, nor by temptations to self-interest. He had deprived them of property, because the core of it was a distraction, and the desire for it was a temptation.¹⁴ He also deprives them of private families because, he thinks, that the very coming into existence of families will introduce the question of 'mine' and 'thine'. It will, thus, destroy that corporate feeling which is the very basis of the state. Plato wants "that the wives of our guardians are to be common, and their children are to be common, and no parent is to know his own child, nor any child his parent". Plato's scheme, therefore, is a system of communism in the sense of common ownership. No guardian will be able to say of any wife or child, "She, or he, is mine" ; but all guardians will be able to say of all wives and children, "They are ours".

To Plato the home, which is so precious to us, was only a stumbling-block. "Every Englishman's house is his castle", we say. "Pull down the walls", Plato would reply : "they shelter at best a narrow family affection : they harbour at the worst selfish instincts and stunted capacities. Pull down the walls, and let the free air of a common life blow over the place where they have been". It is in this way that the home is condemned as a centre of extreme selfishness and exclusiveness. Plato further condemns it as a place where "each man dragging any acquisition which he has made into a separate house of his own, where he has a separate wife and children and private pleasures and pains".¹⁵ It is again condemned by Plato as a "place of wasted talents and dwarfed powers, where the mind of the wife is wasted on the service of the tables."¹⁶ These homes will also be dominated by such things as "the flattery of the rich by the poor, and all the pains and pangs which men experience

12. G. H. Sabine, *op. cit.*, p. 62.

13. *Ibid.*, pp. 62-63.

14. E. Barker, *op. cit.*, p. 217.

15. Plato's *Republic*, Book V (464), Jowett's Translation, p. 189.

16. *Ibid.* (460), p. 184.

in bringing up a family, and in finding money to buy necessities for their household".¹⁷ "In a word", says Dr. Barker, "Plato sees in the family on the one hand a root of selfishness, which may grow into family feuds and civic sedition, and on the other hand a drag on development, which prevents men and women from being what they might be and discharging the function which they might discharge, and, therefore, prevents them from being 'just' themselves or making 'just' the state in which they live. The day of its abolition will be the day of the inauguration of unity for the state, of liberty for the individual and of justice for both".¹⁸

But, by the abolition of the family, it is not to be understood, however, that Plato denies his guardians a normal sexual life. This leads us to a further discussion as to how the sexual life of the guardians, and the production of children among them is regulated. In order to encourage matings between those best fitted to produce children of the desired quality, the rulers will arrange periodic festivals for hymeneal purposes, and will authorise on each of these occasions such a number of matings as may be necessary to help the population of the state at just the right figure. These acts of coition will be sanctified by impressive and holy ceremonies designed to emphasize the noble purpose of the union and to eliminate all elements of lust and obscenity what more powerful urge to excellence could the ingenuity of man devise !¹⁹

One very pertinent question in this connection needs to be answered. What about those children who will be born out of such unions ? Plato's answer in this connection is very clear. The children born out of such unions will be the property of the state. The children at the time of their birth will be taken to a nursery and will be cared for in common by the nurses and mothers of the state. Thus no parent will lavish affection upon one child to the exclusion of others, but will love all children as their own ; and, instead of being concerned only for the welfare of those of their own blood, will strive for the happiness and welfare of all. The guardians of the state then will come to be one great family in which each will regard all others as kinsfolk, and will say of every individual, "It is well with my own", "It is ill with my own". United in common joys and common sorrows, such a thing as selfish devotion to private,

17. *Ibid.* (465), p. 191.

18. E. Barker, *op. cit.*, p. 219.

19. C. C. Maxey, *Political Philosophies*, 15th edition (1956), p. 48.

personal, and family interest would be unknown in this exalted body of citizens.²⁰

Plato perhaps knows it very well that the "production of children is one of the most important factors effecting the welfare of the community, that it ought, therefore, to be governed by the best knowledge that can be had about it".²¹ Plato feels in his heart of hearts that if children are to be committed to the nature and education of their biological parents, they will not fare equally well. "Some parents are proficient in the rearing of children, and some are quite the opposite; some love their children too much to train them properly, and others too little; some have means to do well by their children, and others do not. All these parental handicaps are overcome in the ideal state of Plato".²² In order to accomplish this end i.e., equal and healthy growth of children, Plato entrusts the regulation of this problem to a few highly trained and all powerful persons. These children are the property of the state, and "the state will see to their upbringing; will provide equal advantage for all, and will employ the most skilled and experienced nurses and the most competent teachers to mould them into future citizens".²³

Plato is quite thorough in his scheme of production of the children. He also fixes up a definite age both for women and men at which they will start begetting children. Plato in this connection suggests that the parents should produce children when they are in the prime of life.²⁴ But what is the prime of life? he asks. May it not be defined as a period of about twenty years in a woman's life, and thirty in a man? A woman at 20 years of age may begin to bear children to the state and continue to bear them until forty; a man may begin at five-and-twenty, when he has passed the point at which the pulse of life beats quickest, and continue to beget children until he be fifty-five.²⁵ Plato says that these years in men and women are the prime of physical as well as of intellectual vigour.²⁶ Any one above or below the prescribed ages, who takes part in the public hymeneals, shall be said to have done an unholy and unrighteous

20. C. C. Maxey, *op. cit.*, p. 49.

21. R. L. Nettleship, *Lectures on the Republic of Plato*, 2nd edition (1958), p. 180.

22. C. C. Maxey, *op. cit.*, p. 49.

23. *Ibid.*, p. 49.

24. *The Republic*, Book V (460), Jowett's Translation, p. 184.

25. *Ibid.*, (460), p. 184.

26. *Ibid.*, (461), p. 184.

thing : the child of which he is the father, if it steals in to life, will have been conceived under auspices very unlike the sacrifices and prayers, which at each hymeneal priestesses and priests and the whole city will offer, that the new generation may be better and more useful than their good and useful parents, whereas his child will be the offspring of darkness and strange lust.²⁷ Such is the scheme of Plato according to which the guardians of the state are to have their wives and families in common.

6. *Bases of Plato's Scheme of Communism* : What is the basis or bases of Plato's scheme of communism ? In this connection different opinions have been expressed from different quarters. But, whatever might have been the central idea in the mind of Plato, there is no one to deny the fact that his scheme of communism serves multifarious ends. According to Prof. R. L. Nettleship, the idea of common life is the basis of Plato's scheme. The institution of property and family appear to Plato as 'the great strongholds of selfishness'. There can be no doubt that selfishness has, in fact, found in these two institutions not its cause but its most pernicious expression. To Plato this fact seems to prove that in order to bring about a common life we must cut away these along with all other inducements of selfishness.²⁸ Writing particularly about the institution of the family, he says, that "the family is the centre of mean and petty selfishness". The greatest evils in our history have been due to dynastic interests, which are simply family interests on a large scale. Nowhere does the selfishness of man come out more obviously than in matters connected with the institution of the family. Some of the noblest things that have ever been done as well as some of the basest have been associated with the love of man and woman or with the love of parent and child".²⁹ The best way to deal with them, therefore, was to abolish them in the case of guardians so that they might not grow to be selfish as to cause an irreparable harm to the state.

To Prof. M. B. Foster the object of Plato's scheme "is to promote the unity of the city by extending to its members that community of interest and sentiment which unites the members of a single family. Its direct result could only be to promote such unity among the members of the governing class with one another, since there is no indication that the system of common families is to be

27. *Ibid.*, (461), p. 184.

28. R. L. Nettleship, *op. cit.*, p. 169.

29. *Ibid.*, p. 179.

extended to other class in the state. But Plato believes that the only source from which disunity in the state can spring is disunity within the governing class".³⁰ "If they are free from dissension there is no fear of the rest of the city quarrelling either with them or with one another".³¹ Communism, therefore, to Plato appears to be the only negative remedy to free them from dissension creating, thus, the greatest degree of unity in the state.

According to Prof. G. H. Sabine, it was not only the unity of the state which was the aim of Plato, but his abolition of marriage had a different purpose also. It probably "implied criticism of the position of women in Athens, where their activities were summed up in keeping the house and rearing of children. To Plato this seemed to deny to the state the services of half of its potential guardians. Moreover, he was unable to see that there is anything in the natural capacity that corresponds to the Athenian practice, since many women are as well qualified as men to take part in political or even military duties. The women of the guardian class will consequently share all the work of the men, which makes it necessary both that they shall receive the same education and be free from strictly domestic duties".³²

From this argument of Prof. Sabine one may be led to believe that Plato stood for the freedom of women and he was a champion of their rights. But according to Dr. E. Barker, Plato was not a preacher of so much of woman's rights as of woman's duties.³³ And even if it is to be supposed that he aimed at the emancipation of women from the bondage of the household, "it is only in order to subject them again to the service of the community at large."³⁴ It is for this reason that Plato desires the emancipation of women. He knows it very well that if the work of guardianship will be distributed both between men and women guardians, it will be done more efficiently. He also knows it very well that there is no difference in kind between man and woman; and if woman differs from man in sexual functions, it is absurd to make it the basis of distinction everywhere. Plato is convinced that women are equally capable of shouldering the responsibilities of the state along with men. "The

30. M. B. Foster, *Masters of Political Thought*, Vol. I, 1st edition (1956), London, p. 90.

31. Plato's *Republic*, Book V (465), Jowett's Translation, p. 191.

32. G. H. Sabine, *op. cit.*, p. 63.

33. E. Barker, *op. cit.*, p. 221

34. *Ibid.*, p. 221.

men have fully played their part on our stage and made their exit; and now perhaps it would be right to call in the women". At one place in the Republic, in this very connection, he says, that there is nothing peculiar in the constitution of women which would affect them in the administration of the state.³⁵ Starting with this very assumption, Plato gives them the right to participate in the political life of the state, a right, which up to this time, was denied to them. It is a right which, no doubt, involves service. "Yet such service is after all true freedom: in it woman stands by man's side as his yoke-fellow in the fullness of his life, and by it she attains the fullness of her own".³⁶

Apart from all this, there is one great purpose that Plato's scheme of communism serves. It stands for the transformation and reformation of the family system through which the antithesis that exists between the family and the state completely disappears. The abolition of the family, therefore, was not the goal of the author of the Republic. "Returning as it were to the old days of the tribal state, in which citizenship meant kinship, he would make the state—or rather the rulers of the state—a family; and the family a state; and by fusing the two together he would abolish neither of the two, but rather the antithesis and the antagonism by which they tend to be divided".³⁷

Plato's communism of property and wives carries with it a great assumption. "that much can be done to abolish spiritual evils by the abolition of those material conditions in connection with which they are found. Spiritual 'dieting' is the first and primary cure in Plato's therapeutics; but a ruthless surgery of material things is also one of his means. Because material conditions are concomitant with spiritual evils, they seem to him largely their cause; and since to abolish the cause is to abolish the effect, he sets himself to a thorough reform of the material conditions of life. By compelling men to live under absolutely different conditions in the material and external organization of their lives, he hopes to produce a totally different spirit and an utterly different attitude of mind".³⁸

In his scheme of community of wives, we may see multifarious purposes that it serves. It frees the guardians from the narrowness and worries of family life. It allows to them a wholtime devotion

35. Plato's *Republic*, Book V (455), Jowett's Translation, p. 175.

36. E. Barker, *op. cit.*, p. 221.

37. *Ibid.*, p. 220.

38. *Ibid.*, p. 226.

to the service of the state. It emancipates the best among women and allows the state to gain in the service of the female section of its citizens. It creates the perfect unity among the guardians which is so essential for the ultimate unity of the state. It also paves the way for a better and a healthier stock of children. It also tries to bring about the social equality of men and women. It is this status of equality alone that establishes that team spirit which is so essential for the service of the community.

His scheme of community of property among the guardians is a mere corollary of the abolition of household.³⁹ Plato is convinced that without a communism in the enjoyment of goods that are supplied free, the rulers cannot be fully freed from unnecessary distractions and selfishness. For the full expression and development of reason, private property as an expression of appetite be abolished. Moreover, since political and economic powers are not to be concentrated in the same hands, the guardians of the state should not have any private property at all. It will not only act like a safeguard against tyranny, it will also ensure the mutual dependence of the rulers and the ruled. The rulers will depend for their necessities upon the free supplies made by the subjects, while the subjects will depend upon the rulers for their protection and good government. A line or two from the Republic will make the whole position absolutely clear. "Besides, they (the rulers) would be free of those trifling unpleasantness...want and anxiety such as the poor endure...They will be rid of all these things...and will live a life of bliss...(Thus) they themselves and their children are crowned with free food and free everything else that life needs; alive they receive honourable prizes..., and in death a worthy burial".⁴⁰

7. *Hellenism in Plato's Communism*: In his advocacy of community of wives and property Plato is not very original. The idea of communism was known in Athens even much before him. In Sparta wives were lent but for state purposes. Husbands whose health had declined were required to give the use of their wives to men more robust than themselves in order to secure the maximum number of healthy offsprings. Children were taken from their parents at the time of their birth to be brought up by the state. The ruling class in Sparta had a common mess and lived, to a certain extent, a common life. Herodotus, the great ancient historian, tells that the

39. B. Bosanquet, *A Companion to Plato's Republic*, p. 188.

40. Plato, *The Republic*, Book V (463-465), Dr. Range's Translation, p. 264.

Agathyrsians had their women in common. The women of the Sarmatians went hunting on horseback with men...and went fighting, and wore the same dress as men". Much before the publication of the Republic, Euripides had attacked the subjection of women and advocated the community of wives. In Crete there was a public tilling of public estates. The Pythagorean doctrine that the "friends' goods were common goods" influenced in a very large measure the Platonic theory of communism.

8. *Aristotle's Criticism of Plato's Communism* : Although a very faithful disciple of Plato, Aristotle, realist and practical as he was, could not prevent himself from criticising Plato's scheme of communism. Writing about Plato's community of wives, he says that there are many difficulties in this. The purpose of Plato in advocating the community of wives was to secure the greatest degree of unity in the state. But Aristotle says that in securing such a unity the state may not remain a state at all. Since the nature of the state is to be a plurality, and intending to greater unity, from being a state, it becomes a family, and from being a family, an individual ; for the family may be said to be more than the state, and the individual than the family. In attaining such a unity we will be carving out the very destruction of the state.

Secondly, a state is not made up only of so many men, but of different kinds of men. It is not like a military alliance. Different persons possess different natures and exhibit different capacities ; but all of them contribute in their own way to the common life of the state. Aristotle too wants unity, but he wants to see unity in diversity. Extreme unification to Aristotle is not good ; because, as he says, a family is more self-sufficing than an individual, and city than a family, and a city only comes into being when the community is large enough to be self-sufficing. If, therefore, self-sufficiency is to be desired, the lesser degree of unity is more desirable than the greater. It is, therefore, not the unity so much but the self-sufficiency which should be the aim.

Thirdly, there is another objection to the proposal. For that which is common to the greatest number has the least care bestowed upon it. A thing which belongs to everybody, in fact, belongs to nobody. Everyone thinks chiefly of his own, hardly at all of the common interest ; and only when he is himself concerned as an individual. Besides other considerations, everybody is more inclined to neglect the duty which he expects another to fulfil ; as in families many attendants are often less useful than a few. Each citizen will

have a thousand sons who will not be his sons individually, but anybody will be his son individually, but anybody will be equally the son of anybody, and will therefore be neglected by all alike.

Fourthly, the Platonic system makes a man the same relation to two thousand or ten thousand citizens. For usually the same person is called by one man his own son whom another calls his own brother or cousin or kinsman—blood relation or connection by marriage either of himself or of some relation of his, and yet another his clansman or tribesman ; and how much better is it to be the real cousin of somebody than to be a son after Plato's fashion !

Fifthly, there is nothing to prevent brothers and children and fathers and mothers from sometimes recognizing one another because children are born like their parents, and they will necessarily be finding indications of their relationship to one another.

Sixthly, the system will result in assaults and homicides voluntary as well as involuntary, quarrels and slanders, all of which are most unholy acts when committed against fathers and mothers and near relations, but not equally unholy when there is no relationship. Moreover, they are much more likely to occur if the relationship is unknown.

Seventhly, after having placed all the children in common, it will be difficult to prevent carnal intercourse. Such a love will be highly improper which makes no distinction of relationship between father, mother, sister, son and brothers. Again the transfer of children at the time of their birth from the rank of husbandmen or of artisans to that of guardians, and from the rank of guardians into a lower rank will be very difficult to arrange ; the givers or transferors cannot but know whom they are giving and transferring, and to whom. And the previously mentioned evils, such as assaults, unlawful loves, homicides, will happen more often amongst those who are transferred to the lower classes, or who have a place assigned to them among the guardians ; for they will no longer call the members of the class they have left as brothers, and children, and fathers and mothers, and will not, therefore, be afraid of committing any crimes by reason of kinship.

Concluding his criticism of Platonic community of wives, Aristotle suggests that the system seems better suited to the husbandmen than to the guardians, because if they have wives and children in common, they will be bound to one another by weaker ties, as a subject class should be, and they will remain obedient and not rebel.

Aristotle believes friendship to be the greatest good of states and the preservative of them against revolutions.

Aristotle has also severely criticised the Platonic advocacy of the community of property. Firstly, when the husbandmen till the ground for themselves, the question of ownership will give a world of trouble. If they do not share equally in enjoyments and toils, those who labour much and get little will necessarily complain of those who labour little and receive or consume much. There is always a difficulty in men living together and having all human relations in common, but especially in their having common property. We are most liable to take offense at those with whom we must frequently come into contact in daily life.

Secondly, property should be in a certain sense common, but, as a general rule, private ; for, when everyone has a distinct interest, men will not complain of one another, and they will make more progress, because everyone will be attending to his own business. It is clearly better that property should be private, but the use of it common ; and the special business of the legislator is to create in men this benevolent disposition.

Thirdly, how immeasurable greater is the pleasure, when a man feels a thing to be his own ; for surely the love of self is a feeling implanted by nature and not given in vain. And further, there is the greatest pleasure in doing a kindness or service to friends or guests or companions, which can only be rendered when a man has private property. No one, when men have all things in common, will any longer set an example of liberality or do any liberal action ; for liberality consists in the use which is made of property.

Fourthly, experience of life is against communism. Let us remember that we should not disregard the experience of ages ; in the multitude of years these things, if they were good, would certainly not have been unknown ; for almost everything has been found out, although sometimes they are not put together ; in other cases men do not use the knowledge which they have.

Fifthly, Plato had a false notion of unity. To Aristotle the state is a plurality which should be united and made into a community by education and not by communism which produces only a dead uniformity.

9. *Plato's Communism versus Personality* : There are some critics of Plato who believe that his system of communism destroys the personality of his citizens of the state. Even so elementary a thing as property is denied to the guardians in the absence of which

they cannot develop their individualities. Even in so ordinary a matter as marriage, the guardians are not free. Such a system, therefore, destroys all respect for the personality of the guardians. But, no doubt, if personality or individuality is another name of selfishness, then Plato's communism certainly destroys it. But if personality or individuality consists in the participation of common life and promotion of common good, in that case, it certainly helps in its realization. According to Prof. R. L. Nettleship, the individuality of the citizen is not diminished by his participation in this common life or interest. "A public servant who devotes as much of himself as he can to the public service does not cease to be an individual ; he puts as much of himself into his work as does the most selfish miner. When a man so completely throws himself into the common interest that he can be said to live for others, he does not lose his individuality ; rather his individuality becomes a greater one. In this sense it may be said that what Plato had in view was not the abolition of individuality, but the raising of it to the highest possible pitch through *esprit de corps*".⁴¹

10. *Plato's Communism versus Modern Communism* : Plato's communism was not designed for the removal of property. It rather advocates the philosophy of property. The modern communism is meant for the removal of property and exposes the poverty of philosophy to reform and to improve the present day world. Plato's communism remains what has been called by Prof. Natrop as "half communism". It is not an institution of the social whole. It affects less than half of the person, and much less than half of the goods, of the society to which it belongs.⁴² The modern communism affects the whole society and is applicable to all. Plato's communism does not emphasise the doctrine of equality, whereas modern communism is based on the principle of equality. Plato's communism envisages community of wives and property, whereas the modern communism is concerned only with the latter aspect of it. Plato's communism is to be realised through the agency of the state, whereas modern communism regards the state as an executive committee serving the interests of the capitalists' class and believes in its extinction. The Platonic communism regards the state as a partnership in all science, a partnership in all arts, a partnership in all virtue and in all perfection. Plato's communism is realised through a system of classes,

41. R. L. Nettleship, *op. cit.*, p. 177.

42. E. Barker, *op. cit.*, p. 214.

whereas the modern communism is achieved through the establishment of a classless society. The communism of Plato establishes the dictatorship of the philosopher-king ; the modern communism believes in the dictatorship of the proletariat. The Platonic communism is realised only on national scale ; but the modern communism is realised on international scale. The Platonic communism is achieved by making an appeal to the altruism of the governing classes ; the modern communism is brought about by making an appeal to the fidelity of the workers. The Platonic communism is achieved through education and perfect training and thus through peaceful means. On the other hand the modern communism believes in revolution and violent means for ending the system of capitalism and bringing into existence a new type of society. Lastly, the Platonic communism is spiritualistic because its ultimate purpose is a realisation of the life of the spirit, whereas the modern communism is thoroughgoing materialist because its ultimate end is the betterment of the material conditions of life.

CHAPTER 10

“THE UNION OF POLITICAL POWER
AND PHILOSOPHIC INSIGHT”

“Until philosophers are kings, or the kings and princes of this world have the spirit and power of philosophy . . . , cities will never have rest from their evils.”

—*Plato of Athens.*

1. *Plato's Denunciation of the rule of Incompetence and factions of Ignorance* : Political affairs of the state in the days of Plato were governed by incompetent and self-seeking politicians. Plato was very much disgusted with this rule of incompetence and selfishness. In one of his letters, Plato gives expression to his indignation in these words, “When I considered all this, the type of men who were administering affairs, and the condition of the law and of public morality—the more I considered it and the older I grew, the more difficult appeared to me the task of decent government. It was impossible to take action without friends or political associates, and these it was not easy to find among the politicians, since their methods of government were false to the true principles and traditional institutions of our country. To find new men for the job, however, was an impossibility. Moreover, statutes and usages alike were degenerating in Athens with surprising rapidity, and so, although at first I was filled with an ardent desire to enter politics, when I considered all this and saw how chaotic the political situation was, I felt completely baffled.

I continued to consider how on earth some improvement could be brought about, not only in the administration, but also in society as a whole, and I was constantly on the lookout for an opportunity to intervene. But finally I came to the conclusion that every city without exception is badly governed, and that the state of legislation is everywhere so deplorable that no government is possible without drastic reconstruction combined with some very good luck. And so I was forced to extol true philosophy and to declare that through it alone can real justice both for the state and for the individual be discovered and enforced. Mankind (I said) will find no cessation from evil until either the real philosophers gain political control or else the politicians become by some miracle real philosophers".¹

2. *Plato's faith in the gentry and contempt for the working class*: Although after the anti-democratic revolution Plato had come to realize that 'gentlemen' behaved worse than the demagogues of the proletariat, but this did not affect any change in his contempt for the working class. "Plato remained an aristocrat, convinced that the peasant, the craftsman, and the shopkeeper were incapable of political responsibility. Government was the perquisite of the gentry, who did not need to living and could therefore devote their lives to the responsibilities of war and politics".² There must always be a ruling aristocracy and a subject class. These subjects were the producers and distributors of material wealth whom he condemns for their menial occupations. According to Plato, the former had the paternal care of the state at heart while living on the labour of the subject masses, they gave them in return security, justice and defence. The ruling class belonged to a noble breed possessing culture and education, while the subject class possessed that technical skill or training which would increase their efficiency as craftsmen or farmers. "The political philosophy of the young Plato has at bottom a longing to return to the Homeric age of chivalry. Drawn from his reading of the *Iliad*, it postulated a radical reconstruction of the social order. The working class must be put in their place; the gentry must regain their old self-confidence and sense of responsibility".³

3. *Distrust in the normal political change*: Plato was greatly disappointed by the failure of the anti-democratic revolution in Athens. It strengthened his conviction that the reconstruction could

1. Plato, *Letter VII*.

2. R. H. S. Crossman, *Plato To-day*, 2nd edition, 1959, p. 71.

3. *Ibid.*, p. 71.

not come through the normal political channels.⁴ He was convinced so far that everything could be set aright if the gentlemen of the state could gain the political control. But he realized that a discredited aristocracy could never win political power at Athens. Plato, therefore, came to the conclusion that the gentry must be trained if it was to play its proper role in the life of the state. It must be guided by knowledge, and because the only true knowledge is philosophy, the gentry, therefore, which is to rule, must be possessed of the knowledge of philosophy. That is to say, political power and philosophical knowledge should become the sole concern of rulers of the state. Plato thinks that the radical source of evils of mankind is the divorce between these two factors. But when these two will be united in the same hands, the cities will have rest from their afflictions. To quote Plato's words in this connection, "Until philosophers are kings, or the kings and princes of this world have the spirit and power of philosophy, and political greatness and wisdom meet in one, and those commoner natures who pursue either to the exclusion of the other are compelled to stand aside, cities will never have rest from their evils,—no, nor the human race, as I believe,—and then only will this our state have a possibility of life and behold the light of day".⁵ It is through this radical change of making philosophy as the sovereign of the state that Plato thinks of delivering goods to the society of his day. It is in this way that the state can gain when the rulers rule by wisdom because their eyes have seen the truth and who regard their office as a duty and a burden to be borne for the good of their fellows.⁶

4. *Qualities of the Philosophic Nature* : Plato presupposes that men and women who are endowed with reason possess a philosophic nature, and as such, they are fit for becoming the future rulers of the state. The philosopher is a lover of truth and has always a passion for reality.⁷ It is by virtue of this disposition that he follows instinctive hatred against falsehood. He possesses self-control and is free from all sorts of meanness or spitefulness or little-mindedness which are inconsistent with such a nature.⁸ He is again endowed with courage because the fear of death is impossible to a mind to which human life appears to be a mere fragment in a greater

4. *Ibid.*, p. 71.

5. *The Republic of Plato*, Book V (473), Jowett's translation, p. 203.

6. E. Barker, *Greek Political Theory—Plato and His Predecessors* p. 205.

7. *The Republic of Plato*, Book VI (485), Jowett's translation, p. 215.

8. *Ibid.* (485), p. 216.

whole, and which has its vision set on all time and on all existence.⁹ His mind is not to be influenced by fear, greed or personal passion has nothing to make it unjust.¹⁰ He also possesses a sort of mental symmetry or proportion which makes the mind adaptable to the nature of things. He will be gentle, sociable, a lover of learning having a good memory and moving spontaneously in the world of being.¹¹

The philosopher, again, possesses a simple and ideally the good nature. The philosophic nature, in man, is thus the source of many different things. It is the source of the love of beauty, including the literary and the artistic sense. The philosophic element in man, then, is the essentially human element, it is what makes a man a man, and therefore in its fullness it implies a perfect humanity, a fully gifted human nature. For a conception parallel to this we should turn in modern times to religious thought. It is to be found in the love of God and man which is represented in the *New Testament* as resulting in all virtues, and making a perfect man.¹² We may find in this conception of philosophy a combination of the scientific and religious spirit in their highest forms. It represents "the desire to be at one with the laws of nature, and to live according to nature; and as to Plato the world is emphatically the work of a divine intelligence, being at one with nature is also in a sense being at one with God".¹³

5. *The Term 'philosopher' gets a New meaning* : Thus Plato had something very different in his mind when he used the term 'philosopher'. His philosopher is not the devoted seeker for wisdom, but its proud possessor. He is a learned man, a sage.¹⁴ By the rule of philosophy Plato, in fact, means the rule of learnedness or the rule of intellect. It is in this rule of intellect that the Socratic doctrine of "knowledge is virtue" is fully realized in its institutional form. To Plato the ruler or the governor is not an ordinary man. He does not love, as ordinary people do sensible things and their "beautiful sounds and colours and shape", but he wants "to see, and to admire the real nature of beauty"—the form or Idea of

9. *Ibid.* (486), p. 217.

10. *Ibid.* (486), p. 217.

11. *Ibid.* (486), p. 217.

12. R. L. Nettleship, *Lectures on the Republic of Plato* (1958), p. 202.

13. *Ibid.*, p. 203.

14. K. R. Popper, *The Open Society and its Enemies*, Vol. I, *The Spell of Plato*, 3rd edition (1957), p. 144.

Beauty. In this way Plato gives the term philosopher a new meaning, that of a lover and a seer of the divine world of Forms or Ideas.¹⁵ It is this philosopher who becomes the virtuous founder of a virtuous city.¹⁶ The philosopher who has communion with the divine may be overwhelmed by the urge to realize his heavenly vision of the ideal city and of its ideal citizens. He acts like a painter who has the divine as his model. Plato is convinced that only true philosophers can sketch the ground plan of the city, because they alone can see the original, and can copy it, by letting their eyes wander to and fro, from the model to the picture, and back from the picture to the model. As a planner of the city, the philosopher is helped by the light of his goodness and wisdom.¹⁷

6. *The Philosopher-king* : In all the philosophical writings of Plato none of his ideas is so profoundly original and exceedingly interesting as his doctrine of the philosopher-king. It was, as it were, a plan carefully devised by Plato to save the society of his day from death and decay. It was a deliberate attempt on his part to create a superman, who could become for the citizens of his state a friend, philosopher and guide at the same time ; and who, by leading a life of ascetic simplicity and virtue, inspire confidence among his subjects. Such a form of government we may call a real aristocracy or dictatorship of the best. The members of this class are segregated from the civilians and are given a special type of education, which makes them conscious of their social responsibility which higher intellectual and moral capacities bring. Subjected as they are to a strictly iron discipline, every possible care is taken to protect them against all corrupting influences. All their stories, songs and dances are thoroughly censored and controlled. It is upon their integrity that the entire well-being of the community depends. They give up all personal wealth, family, bodily pleasures and so on, because, if they become paramount in a ruler's life, they will corrupt his administration and make him another wage-earner no better than the civilians.¹⁸ Plato's doctrine, it seems, is certainly a partnership in poverty and asceticism. It is strikingly similar to the ancient Indian political doctrine of Rajarishi, where a ruler is expected to be a king in dress and food but unselfish and ascetic in mind and heart.

15. *Ibid.*, p. 145.

16. Plato's *Republic*, Book VI (500), Jowett's translation, p. 237.

17. *Ibid.*, Book VI (501), Jowett's translation, p. 238.

18. R. H. S. Crossman, *op. cit.*, p. 87.

Again, the members of the philosophic class are so educated and trained that nothing can divert them from their service to the state. Since they are the representatives of reason, they know their citizens and their interests, and they accordingly love them and pursue their interest. As they love their subjects and know their interests, they sacrifice their personal interests for the sake of the community. They spend part of their time in the study of pure philosophy, and in contemplation of the Good. They still spend, of course, when their turn comes round, a part of their time in the service of the state. It is obvious from all this that Plato's philosopher-king leads simultaneously a life of action and contemplation. "It was as if a monk were distracted from the cell of his contemplation to sit on the papal chair, protesting and yet also consenting".¹⁹ The philosopher-king shall not pursue any other object than the welfare of his community. "He is", in the words of Prof. A. E. Taylor, "doubly demanded as the only adequate embodiment of the Socratic conception of goodness and also as the authority whose personal insight into good creates the public tradition by which the rest of society is to live".²⁰

7. *Absolute Power of the Philosophic Rulers*: Plato was now convinced that the philosophic rulers, after receiving such a thorough education and undergoing such rigorous discipline, would become infallible. It was this belief in the infallibility of the philosophic natures that led Plato to advocate for the establishment of their absolute and unlimited government. Plato was convinced that power in the hands of philosophic rulers will not corrupt. That is why he does not recognize any limitation on the power of his rulers. It is for this reason that he abolished law. "Its omission", says Prof. G. H. Sabine "was not a matter of caprice but a logical consequence of the philosophy itself. For if scientific knowledge has always the superiority to popular opinion which Plato supposes, there is no ground for that respect for law which would make it the sovereign power in the state".²¹ As between wisdom and convention, Plato gives precedence to the rule of the former. The philosopher-king is the embodiment of reason, whereas the law is the product of convention and human experiences. It, therefore, logically follows that the supremacy of the law before the supremacy of the philosopher-king is meaningless and without any right. "Law belongs to the

19. E. Barker, *op. cit.*, p. 204.

20. A. E. Taylor, *Plato : Man and his Works*, p. 282.

21. G. H. Sabine, *A History of Political Theory*, p. 78.

class of convention ; it rises through use and wont ; it is the product of experience growing slowly from precedent to precedent. A wisdom which arises by rational insight into nature cannot abdicate its claims before the claim of law, unless law itself has access to a kind of wisdom different from that which scientific reason possesses".²² It is here that Plato "comes near to the adoption of tyranny, the form of rule in which the sovereignty of law disappeared, and a personal rule usurped its place".²³ But Plato is, however, careful to dissociate his 'new monarchy' from ordinary tyranny which he regards as its last and worst degradation, is nevertheless aware that he is enunciating a dangerous doctrine."²⁴ That is why in the "Laws" he replaced the personal rule of an individual by impersonal rule of an institution.

8. *Establishment of the Rule of Trained and Scientific Intelligence* : The philosophic power which is sovereign and supreme in the state is another name of that trained and scientific intelligence which, Plato thinks, is the only remedy for curing the ills of the state. For this reason Plato gives to this Intelligence a free hand in carrying the administration of the state. Thus, laws and customs, which in Athenian society had an abiding place, are not at all recognized by Plato in the political and administrative scheme of the state. He is fully aware that "the laws and customs which regulate men's conduct in society are dogmas for most of those who live under them. They yield them an unreasoning assent, and it may be an implicit obedience. Here, as elsewhere, it is the task of philosophy to substitute knowledge for belief, to discover the reasons for these rules and to approve or judge them in the light of reason".²⁵ In this rule of intelligence there is no place to that political selfishness and ignorance which had brought a complete ruin to the Athenian state of his day. To Plato, it is only through such a rule of knowledge that the real social progress of a society can be achieved. It led Prof. G. H. Sabine to observe, "The true romance of the Republic is the romance of free intelligence, unbounded by customs, untrammelled by human stupidity and self-will, able to direct the forces even of custom and stupidity themselves along the road to a rational life. The Republic is eternally the voice of the scholar, the profession of faith of the

22. *Ibid.*, pp. 68-69.

23. E. Barker, *op. cit.*, p. 205.

24. *Ibid.*, p. 205.

25. M. B. Foster, *Masters of Political Thought*, Vol. I (1956), London, p. 106.

intellectual, who sees in knowledge and enlightenment the forces upon which social progress must rely".²⁶ It is in this sense that Plato accepts his master's dictum that "knowledge is virtue and ignorance is vice".

9. *Limitations on the Power of Philosophic Rulers* : Although power of philosopher-king was made absolute by Plato, yet it was not his intention to make it an unqualified absolutism. He is not free from what Dr. Barker has called the fundamental articles of the constitution. He must not radically alter the basic principles on which the state was constituted by his own free will. Such basic principles, according to Plato, are four in number. Firstly, the rulers will have to watch against the entry either of poverty or of wealth into the state.²⁷ Secondly, they will have to limit the state to the size consistent with unity, remembering that it must be accounted neither large nor small, but one and self-sufficient.²⁸ Thirdly, they must maintain the rule of justice and ensure that every citizen is occupied, and only occupied in the discharge of his specific function".²⁹ Lastly, and above all, they must ensure that no innovation shall ever be made in the system of education.³⁰ It is in this way, that Plato, "true after all to the ideas of Greece, seeks to make even his philosopher-kings the servants of a fundamental and unchanging social order".³¹

10. *Criticism of the Rule of Philosophy* : Plato's doctrine of the rule by philosopher-kings has not been allowed to go unchallenged by critics. Relating to the doctrine we note very many of his ideas which are either obscure or dogmatic or based upon doubtful assumptions. One absolutely fails to understand how the philosopher-king can be fitted to guide the destiny of the state by the study of five mathematical sciences. Commenting on this Prof. Benjamin Jowett has rightly observed, "We vainly search in Plato's writings for any explanation of this seeming absurdity".³² Plato does not clearly set forth anywhere in his writings the general principles of governance according to which the rulers will carry out their administrative duties and responsibilities. Again, the ruler of Plato is required

26. G. H. Sabine, *op. cit.*, p. 67.

27. Plato's *Republic*, Book IV (421), Jowett's translation, p. 131.

28. *Ibid.* (423), p. 133.

29. *Ibid.* (423), pp. 133-134.

30. *Ibid.* (424), p. 134.

31. E. Barker., *op. cit.*, p. 205.

32. From the Introduction to *The Republic of Plato* by B. Jowett, p. c xcv.

to devote himself completely to the service of the state. We cannot expect such an intense devotion on the part of the ruler. Moreover it entails a great demand on their altruistic motives. More serious is the criticism against Plato's rule of intellectual or moral aristocracy which results in the establishment of dictatorship. His argument for government by 'moral experts' runs counter to the basic assumptions of democracy, because in a democratic society all claims to personal infallibility are rejected, and those who administer policy are answerable to those who have entrusted them with this task. On the other hand, the alleged infallibility of Plato's guardians has close parallel in the attitude of modern dictators who claim the right to suppress all criticism of, and opposition to, their policies.³³ Again Plato tries to prepare his ruler by adopting both the positive and the negative remedies. Having failed to believe in the efficacy of positive means, he resorts to the help of negative means to perfect his ruler. In the adoption of such means he attempts an impossible task and works on an impossible psychology. Plato, on the whole, remains utopian and his attempt at the creation of philosophic rulers remain a difficult if not an impossible task.

33. A. R. M. Murray, *An Introduction to Political Philosophy*, p. 52,

CHAPTER II

PLATO—HIS POLITICAL IDEAS— 'THE STATESMAN' & 'THE LAWS'

'THE STATESMAN' AND 'THE LAWS'

The Statesman of Plato is the representation of his maturer years. Although no definite date can be assigned to its composition, but from its tone and content it is quite obvious that in any case it must have been written many years after the publication of the Republic. According to Dr. Barker the Statesman or the *Politicus* "probably belongs to the last period of Plato's life ; and its composition may be assigned either to the period of his connection with Dionysius II or to the years immediately following".

(A) *The Statesman is the Result of Plato's Disillusionment*
Without caring about the historicity of the Statesman, the thing which is worthy of our consideration is to examine the reason which led Plato to its writing. The academy founded by Plato at Athens could not fulfil his political or philosophical aspirations. It absolutely failed to produce philosopher-kings, whom Plato regarded as the very saviours of the life of the individuals and the state. His political experiments of converting the Sicilian rulers into philosopher-kings had palpably failed. All this made him realise that his schemes were merely the figments of imagination and hence, they could not be imported into this world of mortality and imperfection. In the Statesman, therefore, he tries to bring himself in touch with the

'actual'. But it is, however, a fact that even here the 'ideal' is not completely abandoned. The practicality that comes in human life with the advancement of age is met with resistance. According to Prof. Maxey, the *Statesman* was the result of Plato's personal disillusionment that he suffered "through the failure of his attempt to inaugurate the aristocracy of his dreams under the patronage of Dionysius II of Syracuse, and after he had witnessed the completion of the cycle of political degeneration in Athens. Disillusionment coupled with advancing years may have chilled his poetic enthusiasm and venomed the barbs of his irony, but they did not impair the clarity of his vision or shake his loyalty to the ideal. He still seeks the City of Light, hoping, if not believing, that philosophers may be kings and kings philosophers".¹

1. *Change in the Platonic stand* : In the *Statesman* is reflected, what may be called, a definite note of change, although Plato is never weary of harping on the same tune. In the *Republic* the philosopher-king ruled by his free intelligence, unbounded by any law and any custom. But, here, in the *Statesman* Plato develops a new attitude towards law, although it cannot be said that his attitude towards the law is altogether favourable. According to Dr. Barker, one of the prominent features of the *Statesman* was the Platonic attitude towards law, still hostile, but much less uncompromisingly hostile.² The question, that Plato discusses in the *Statesman*, is whether the rulers should rule with or without the willingness of their subjects ? To this question Plato's answer is very explicit and clear. According to Plato, the true physician is he who cures us, "whether he cures us against our will or with our will whether he practises out of a book or not out of a book, and whether he be rich or poor". This argument of Plato places him definitely, again like the *Republic*, on the side of political absolutism. In this connection Plato has stated his position as follows :

"Among forms of government that one is pre-eminently right and is the only real government, in which the rulers are found to be truly possessed of science, not merely to seem to possess it, whether they rule by law or without law, whether their subjects are willing or unwilling".³

But this absolutism of Plato again rests on the assumption that the ruler is a kind of artist whose chief qualification is the

1. C. C. Maxey, *Political Philosophies*, 5th edition (1956), pp. 51-52.

2. Dr. E. Barker, *Greek Political Theory—Plato and His Predecessors*, p. 271.

3. *Statesman*, 293 C ; H. N. Fowler's translation.

possession of knowledge. Plato knows it very well that the discretion of this all-wise philosopher is a perfect guarantee of excellence in administration. To limit the authority of such a wise ruler by rigid rules or laws, would be like restricting the trained physician or the skilled pilot to specific modes of action, regardless of particular conditions and circumstances. But Plato seems to be convinced now that such all-wise rulers are not available; hence he is obliged to attribute the utmost importance to law whom he considers as the expression of accumulated human experience and wisdom. Plato is also obliged to believe that no ruler or rulers can be said to possess so much of the spirit of true political science as is embodied in the written laws and customs of a country. In view of this, it is, therefore, essential that all rulers and all imperfect systems of government should conform to the existing laws. It is, in this way, that Plato modified his absolutism by the idea of the rule of law.

Besides the admission of law, Plato's attitude towards democracy in the *Statesman* is less hostile. Democracy in the *Republic* had received a ruthless condemnation at the hands of Plato which had brought in the rule of ignorance and incompetence. In the *Statesman* he begins to recognise some value of democracy. But the reference towards democracy is made in a very passing way, where Plato suggests that the best form of constitution is that which is mixed and which is a combination of monarchic and democratic principles.

The importance that Plato attaches to the law and the favourable treatment that he gives to democracy become all the more clear by his classification of governments. According to Plato, states are of two kinds. There are law-states, and there are arbitrary states. That is to say, there are states which obey the law, and there are states which disobey the law. They are again divided by a principle of number: whether the rulers of the state are one, few or many. On the basis of these principles we get the following scheme:

1. The states which obey the law :

- (1) The rule of one is monarchy.
- (2) The rule of few is aristocracy.
- (3) The rule of many is moderate democracy.

2. The states which disobey the law :

- (1) The rule of one is tyranny.
- (2) The rule of few is oligarchy.
- (3) The rule of many is extreme democracy.

None of these forms, to Plato, is absolutely good. But if considered from the practical standpoint of citizens, the rule of one is at the same time the best and the worst of the six. It is the best when the state is subjected to law, and it is the worst when it is unrestrained by law. In respect to good and evil, aristocracy and oligarchy are intermediate. But, since a law-abiding state is always better than one which does not abide by law, moderate democracy which is law-abiding must always be superior to oligarchy which does not abide by law. Even if we confine ourselves to the lawless forms, extreme democracy is ranked superior to oligarchy. In any case it stands higher than oligarchy. Writing about this Platonic scheme of classification Dr. E. Barker has observed, "This scheme of classification, and the order of value here suggested show a change in Plato's political attitude, which also appears in the general tone of the *Politicus*. There is a greater degree of realism than in the *Republic*. Idealism is very far from having disappeared but it coexists with a more realistic apprehension of actual politics, and a new recognition of the virtue which may be found in the second best. The ideal remains as a standard ; it has ceased to be consuming fire. The classification of states in the *Politicus* or the *Statesman* is thus quite different from that in the *Republic*. Democracy, in both its forms, is now placed above oligarchy, which in the *Republic* was placed above democracy ; and this is a significant change. The memory still survives of the days in which a democratic state slew the prophet of knowledge ; but the memory is far less acute than it was in the days of the *Gorgias* and the *Republic*, and the judgment on democracy is correspondingly less severe. There is hardly any echo of the old verdict of condemnation pronounced on the state, whose very nature was held to be unjust, because it was based on denial of the principle of discharge of specific function. Seeing the value of law, as the fruit of experience and invention of wisdom, Plato can now see the value of a democracy which is based on the rule of law".⁴

(B) *The Laws* : The *Laws of Plato* is the product of his old age. According to Prof. Maxey, "This treatise was not published until after Plato's death, and the disjointed and uneven character of the work lend credence to the supposition that it was left in an unfinished state".⁵ According to Prof. Sabine also, "the *Laws* was

4. Dr. E. Barker, *op. cit.*, p. 291.

5. C. C. Maxey, *op. cit.*, p. 53.

definitely a work of his old age, and all critics agree in finding in it evidence of declining powers, though this has very often been exaggerated".⁶ To Dr. Barker, "its composition may be ascribed to the last ten years of his life, when he was an old man of over seventy".⁷ The Laws of Plato does not possess that literary quality which has made the Republic a book for all times. Prof. Sabine in this connection has observed that "in respect to literary quality there is no comparison between the Republic and the Laws. The earlier work is conceded to be the greatest literary masterpiece in the whole range of philosophical writing. The Laws, on the other hand, is distinctly hard reading. It is rambling even when all allowance is made for the liberties in this regard that the dialogue-form permitted ; it is wordy and repetitious. The tradition that it lacked the author's final revision is plausible. It contains fine passages—passages which competent scholars consider as fine as any in Plato's works—but he has lost either the capacity for, or the interest in, sustained literary effect. Because of its defects of style the Laws has been little read, as compared with the Republic".⁸

1. *Plato's Thinking undergoes a Radical Change*: It is not the difference of form but that of the content which makes the Laws a work of the different world. Plato's thinking in the Laws is radically changed and the process of change, which was started in the Statesman, reaches its completion. With his hair growing grey, with wrinkles spread on his forehead, and with his steps heading towards a place from where no retreat is possible, Plato, at about the age of seventy, lifted his pen, jerked his brain, squeezed the gallery of his mind only to sound a note of surrender in his Laws. There are many factors which have been attributed to this radical change in his political thinking. The first factor that made him write on the second best state of the Laws was perhaps the sobriety and wisdom that came to him in his old age. Secondly, during his later life, he tried to come to grips with political actualities as he had never done before. Thirdly, he was twice disappointed in his attempts to introduce his ideal state in Syracuse. This Syracusan failure convinced him and gave him the feeling that his theories were not meant for this world—a world of mortality and imperfection. "Like Prospero in 'The Tempest'—the last of Shakespeare's plays—when he breaks his magic staff and drowns his book in the deeps, Plato has come to feel that men, who

6. G. H. Sabine, *A History of Political Theory*, p. 70.

7. Dr. E. Barker, *op. cit.*, p. 292.

8. G. H. Sabine, *op. cit.*, p. 70.

play their part in 'this unsubstantial pageant', are 'such stuff as dreams are made on'. He, therefore, yielded on two major issues i.e., relationship of philosophic rulers with law and communism in wife and property. He agreed in his *Laws* that philosophic rulers, however ideal, virtuous and righteous they may be, should be subject to the rigours of law. Similarly, in regard to his communism, he accepted that guardian classes should not be divested of institution of private property and marriage altogether".⁹ It is in this way that Plato "formally abandons his idealism, and seeks to set forth a system that would be workable among imperfect men".¹⁰

2. *The sub-ideal state of the Laws*: It is from this consideration alone that Plato derived the plan of the state of the *Laws*. It was, as it were, a research into a "realisable ideal", and an attempt to revise the plan of the state of the *Republic*. It is a sincere attempt at the abandonment of absolute ideal, though the idealism is not completely given up. Plato's attempt in the *Laws* is, therefore, to construct a halfway house between the 'actual' and the 'ideal'.

(a) *The Nature and supremacy of law*—The first quality of the state is the supremacy of the law. In the *Republic*, the law was completely given up as an instrument of uselessness. The state was governed completely by the free intellect of the philosopher-king which was considered by Plato as much more superior than the law itself. In the *Laws*, he comes to believe in a different way. This difference in thinking is caused by the very fact that competent rulers are not available. Hence he readmits the law into the plan of his state. Plato, however, gives many reasons of this readmission. Individuals according to him are not competent to find out what is best in social life, even when they can do it at times, they cannot do always. It is the law that makes men realise that common good is prior to the individual good. Law is civilization: it is the slow bought gain of the ages during which men have striven to lift themselves above savage beasts: it is the differentia of humanity. In the absence of law men "will always drift into selfish competition for the sake of private advantage. Men are actually so many puppets pulled in opposite directions by their selfish desires." But there is, what may be called, "a sacred and golden cord of reason, which is called the common law of the state, to which we should always cling, and which we should never let go". Plato considers law as an embodiment of

9. Quoted from *Greek Political Theory—Plato & His Predecessors*, by E. Barker, p. 292.

10. W. A. Dunning, *Political Theories—Ancient and Medieval*, p. 37.

reason, so it extends over the whole of his life. It regulates birth and arranges marriage. It rules even in death because the very dead has to be buried according to law. It also regulates the material interests of the community such as property and every relationship between man and man that arises from property. He thus realises the cardinal importance of law, both in the life of citizens and the state and advocates its supremacy. He says :

“Let not Sicily nor any city anywhere be subject to human masters—such is my doctrine but to laws. Subjection is bad both for masters and for subjects, for themselves, for their children’s children, and for all their posterity”.¹¹

It is in this way that Plato originated what is now called the rule of law. It was in this way that the personal rule of an individual was replaced by impersonal rule of an institution. But Plato was not happy to do all this. He accepted this position after a good deal of reluctance and hesitation. In fact, “the state ruled by law was always a concession to the frailty of human nature and never something which he was willing to accept as having a right to stand on parity with the ideal”.¹²

(b) *Geographical situation of the State*—The second important thing, that Plato discusses in connection with his state of the Laws, is the situation of the colony. This question has been discussed by Plato in Book IV of the Law. While selecting the site and situation of the state the legislator should see to it that it is founded away from the seashore.¹³ It is “here that he is contradicting, and contradicting deliberately, the general practice of Greece. The Greeks were a seafaring people whose highroad was the ‘wet ways’ of the sea; and their colonies were almost always founded on the shores”.¹⁴ Plato condemns the seashore, because, according to him, it results in many a corruption in the life of the state. “The sea is pleasant enough as a daily companion, but has indeed also a bitter and brackish quality; filling the streets with merchants and shopkeepers, and begetting in the souls of men uncertain and unfaithful ways—making the state unfriendly and unfaithful both to her own citizens, and also to other nations”.¹⁵ Again, the state must be self-sufficient and must produce all things at home. It should not have anything in abundance

11. *The Laws*, 334 c-d, L. A. Post’s translation.

12. G. H. Sabine, *op. cit.*, p. 72.

13. *The Dialogues of Plato*, Vol II, *The Laws*, Book IV (704), p. 477.

14. Dr. E. Barker, *op. cit.*, p. 316.

15. *The Laws*, Book IV (705), Jowett’s translation, p. 477.

because had there been abundance, there might have been a great export trade, and a great return of gold and silver which has the most fatal results on a state whose aim is the attainment of just and noble sentiments.¹⁶ The state should also be deficient in timber, so that it may not turn to shipbuilding. A maritime state, because it becomes a naval power, Plato, therefore, condemns it as he condemns the commercial state. It is to be noted here that in selecting the site and situation of the colony, Plato is emphasising the importance of geographical conditions in influencing the conduct and character of men. It is in this conception of geopolitics that Plato foreshadowed both Bodin and Montesquieu.

(c) *The Population of the State*—The number of citizens should be sufficient to defend themselves against the injustice of their neighbours, and also to give them the power of rendering efficient aid to their neighbours when they are wronged.¹⁷ This sufficient number fixed by Plato is 5040 and he himself says that this will be a convenient number; and these shall be owners of the land and protectors of the allotment. The houses and the land will be divided in the same way, so that every man may correspond to a lot.¹⁸ According to Prof. Barker, "The number is in no sense arbitrarily chosen. Plato had always believed in the significance of number; and in the last period of his life the Pythagorean element grew even stronger, and Platonic philosophy became still more a philosophy of number".¹⁹ Writing about this number in the *Laws* Plato says, "Every legislator ought to know so much arithmetic as to be able to tell what number is most likely to be useful to all cities; and we are going to take that number which contains the greatest and most regular and unbroken series of divisions. The whole of number has every possible division, and the number 5040 can be divided by exactly fifty-nine divisors, and ten of these proceed without interval from one to ten: this will furnish numbers for war and peace, and for all contracts and dealings, including taxes and divisions of the land. These properties of number should be ascertained at leisure by those who are bound by law to know them, and should be proclaimed at the foundation of the city".²⁰

16. *Ibid.*, p. 477.

17. *The Laws*, Book V (737), Jowett's translation, p. 504.

18. *Ibid.*, p. 504.

19. Dr. E. Barker, *op. cit.*, p. 317.

20. *The Laws*, Book V (738), Jowett's translation, pp. 504-505.

Plato was a very keen student of mathematics whose study he recommended as prior to all studies. When he requires the legislator to know the number which is most likely to be useful to all states, and to command the citizens not to lose sight of a uniform numerical system, he has also in mind the educational value of mathematics. If the state is ordered on a proper numerical basis, it will be, as it were, a living lesson in arithmetic; and there is no subject of education for the young which has such power, whether for domestic economy, or for politics, or for the arts and crafts, as has the study of numbers, which quickens the sluggish and stupid to a vigour and wit beyond the reach of their natural powers. This is an echo of the doctrine of the Republic, that by mathematics men may transcend sense, and rise into the region of pure thought.²¹

(d) *The System of property and Economics of the State*—In respect to property Plato concedes that the communism of the Republic was impracticable. Hence "the system of property proposed in the Laws marks a definite departure from the communistic ideal of the Republic".²² He has accepted in the Laws the principle of private property.²³ Although Plato in the Laws has accepted the doctrine of private property but he is fully alive to the various evils that may arise out of the possession of private property.²⁴ Hence he has advocated that property must be a combination of private ownership and public control.²⁵ "The philosopher fully appreciates the economic basis of political discord. A tranquil state will be one in which there is neither extreme poverty nor extreme wealth".²⁶ That is why he asks the rich citizens, if there are any, to share voluntarily their wealth with the poor to prevent any civil dissension. The design of social arrangement, as Dr. Barker says, should be the reconciliation of economic interests and the blending of social differences.

In this second best ideal state, lands and houses will be distributed as private property. "But in making the distribution, let the several possessors feel that their particular lots also belong to the whole city; and seeing that the earth is their parent, let them tend her more carefully than children do their mother. For, she is a

21. Dr. E. Barker, *op. cit.*, p. 318.

22. *Ibid.*, p. 319.

23. *The Laws*, Book V (739), Jowett's translation, p. 566.

24. *Ibid.* (740), p. 506.

25. *Ibid.* (740), p. 506.

26. W. A. Dunning, *op. cit.*, p. 38.

goddess and their queen, and they are her mortal subjects".²⁷ What Plato is advocating is the private possession with common use. This advocacy of Plato implies that the "right to property must be recognised as a socially created right, to be used for the benefit of society: it must not be regarded as an absolute or inherent right of the individual, entitling him to do what he likes with his own".²⁸ In this state there will be as many as 5040 original lots enjoyed by the same number of citizens. These lots will be equal and inalienable.²⁹ In order that there may always be one citizen for each of the lots the population must be kept stationary at the number of 5040. A patrimony is always to descend undivided to one son, chosen by his father, who will keep up the household worship.³⁰ Daughters are to be provided for by marriage, and to ensure their marriage, there will be a law against giving or receiving dowries.³¹ A man's remaining sons will be provided for by encouraging adoption on the part of the childless or those who have been bereaved of their sons. Plato is thus aware that his scheme demands that the normal family shall be of one or two children. Tendency to overpopulation will be counteracted by 'moral suasion', or in the last resort, by sending out a colony.³² Apparently no 'artificial' methods of birth-control are contemplated by Plato. Unavoidable depopulation by epidemics and the like can be met, though reluctantly, by inviting new settlers. Plato in this connection writes in the Laws, "We ought not to introduce citizens of spurious birth and education, if this can be avoided; but even God is said not to be able to fight against necessity".³³

Besides property in land, Plato also makes a mention of possession of property in wealth. Plato accordingly provides that every citizen should be permitted to acquire possessions, up to the value of four times that of the lot.³⁴ Accumulation will be checked by the establishment of four economic classes, the poorest possessing nothing beyond their patrimony, the richest being allowed to possess no more than four times the yield of the patrimony. The other two classes are determined by the possession of wealth to the amount of

27. *The Laws*, Book V (740), Jowett's translation, p. 506.

28. Dr. E. Barker, *op. cit.*, p. 320.

29. *The Laws*, Book V (741), Jowett's translation, p. 507.

30. *Ibid.* (740), p. 506.

31. *Ibid.* (742), p. 508.

32. *The Laws*, Book V (741), Jowett's translation, p. 507.

33. *Ibid.* (741), p. 507.

34. *The Laws*, Book V (544), Jowett's translation, p. 510.

two and three times the value of the share of the land ; and property accumulated by any citizen in excess of the fourfold measure will be subject to summary confiscation by the state.³⁵

As regards the rest of the economic life of the community, Plato says that the state will be an agricultural community. No citizen or servant of a citizen can practise any handicraft art.³⁶ In that state there will not be much opportunity for making money ; no man either ought, or indeed will be allowed, to exercise an ignoble method of money-making which perverts a free and gentle nature.³⁷ Further it will be decreed by the authority of the state that no private man shall be allowed to possess gold and silver, but only coins for daily use, which is almost necessary in dealing with artisans. There will be a common Hellenic currency, but its money will not circulate abroad.³⁸ No citizen of the state shall lend money upon interest ; and the borrower should be under no obligation to repay either capital or interest.³⁹ The citizens of the state should be good rather than rich. Writing about this in the Laws Plato says, "I can never assent to the doctrine that the rich man will be happy—he must be good as well as rich. And good in a high degree, and rich in a high degree at the same time, he cannot be . . . Our statement, then, is true, that the very rich are not good, and, if they are not good, they are not happy".⁴⁰ The state which desires goodness for its members and unity for its own existence will base itself exclusively on agriculture and it will not produce so much which may compel its citizens to neglect that for the sake of which riches exist i.e., soul and body.⁴¹ Under such an economic system in the life of the state, the task of the legislator will become very easy. For, he has nothing to do with laws about shipowners and merchants and retailers and innkeepers and tax-collectors and mines and money-lending and compound interest and innumerable other things, bidding good-bye to these, he gives laws to husbandmen and shepherds and beekeepers.⁴²

(e) *The institution of family and marriage of the state*—In the Republic Plato advocated community of wives and children in

35. *Ibid.* (744), p. 510.

36. *Ibid.*, Book VIII (846), p. 594.

37. *Ibid.*, Book V (741), p. 508.

38. *Ibid.*, Book V (742), p. 508.

39. *Ibid.*, Book V (742), p. 508.

40. *Ibid.*, Book V (743), p. 509.

41. *Ibid.*, Book V (743), p. 509.

42. *Ibid.*, Book VII (842), p. 591.

the case of ruling and military classes. Plato found it impracticable and unpsychological and, hence, it is abandoned altogether in the *Laws*. But the institution of marriage and the position of women is maintained exactly in the same way as he had done in the *Republic*. He drags them into the arena of public life and suggests for them a system of common tables. He allows marriage to be controlled in the public interest. They must be given the same training as it is given to men and there must be a single system of universal compulsory education both for men and women. Like men, women should also be trained in gymnastics. They are allowed to take part in tournaments and fight in arms on horseback by the side of men.⁴³ When enemies, whether barbarian or Hellenic, come from without with mighty force and make a violent assault upon them and thus compel them to fight for the possession of the city, great would be the disgrace to the state, if the women had been so miserably trained that they could not fight for their young, as birds will, against any creature however strong and die or undergo any danger, but must instantly rush to the temples and crowd at the altars and shrines, and bring upon human nature the reproach, that of all animals man is the most cowardly.⁴⁴

The system of marriage advocated by Plato in the *Laws* is monogamous. Plato gives a lot of encouragement to love marriages. He suggests the holding of assemblies with a view to promote friendship and better acquaintance between them who are to be married later on. For people must be acquainted with those into whose families and whom they marry and with those to whom they give in marriage ; in such matters, as far as possible, a man should deem it all important to avoid a mistake.⁴⁵ He also provides that youths and maidens will dance together in modest nakedness as a preliminary to marriage so that they may see the health of each other.⁴⁶ Plato also advises that in marriage there should be a union of opposite qualities. The quicker natures should marry the slower, the impetuous temperament should marry the calm and the rich should marry the poor. It cannot, of course, be done under legal compulsion ; but it can be secured under the persuasion that marriage should be contracted for the benefit of the state rather than for private pleasure.⁴⁷ The

43. *Ibid.*, Book VIII (833-34), pp. 582-83.

44. *The Laws*, Book VII (814), Jowett's translation, p. 568.

45. *Ibid.*, Book VI (771), p. 532.

46. *Ibid.*, Book VI (772), p. 532.

47. *Ibid.*, Book VI (773), p. 533.

marriage garments will be inexpensive. The betrothal by a father shall be valid in the first degree, that by a grandfather in the second degree, and in the third degree, betrothal by brothers who have the same father ; but if there are none of these alive, the betrothal by a mother shall be valid in like manner ; in case of unexampled fatality, the next of kin and the guardian shall have authority.⁴⁸

After the marriage the husband and wife are to remember that it is their duty to breed children for the service of the state. Plato condemns too much indulgence on the part of husbands and wives.⁴⁹ Moreover, in a city, where population has to be kept stationary, a certain measure of sex regulation is very essential. From this social and individual point of view Plato places husband and wife under the supervision of women overseers for the first ten years of their marriage. Plato also asks husband and wife to leave their parents and go, as it were, to a colony and dwell there, and visit and be visited by their parents ; and they shall beget and bring up children, handing on the torch of life from one generation to another, and worshipping the gods according to laws of the state.⁵⁰ In connection with marriage, Plato also discusses the question of those who do not want to marry. Such persons are branded as alien and antisocial by Plato. If a citizen does not marry upto the age of thirty-five, he will be required to pay an yearly tax.⁵¹ Celibacy is regarded by Plato as a form of impiety.⁵² It is the duty of men to keep the purity and soundness of body and mind, and Plato is convinced that this cannot be possible with a life of celibacy.⁵³

(f) *Political Institution of the state*—Regarding the political institutions of the state Plato makes provision for a town meeting, a council and a magistracy. The magistrates will be chosen by election. The chief bench of magistrates will consist of 37 members who will be elected by a process of filtration. The council will consist of 360 members. It is selected according to the amount of property held by the citizens. Based on property the citizens are divided into four classes and each class selects one-fourth of this council. If the rich citizens fail to cast their vote, they are penalised. The great problem of politics in the Laws is the union of order and freedom. According

48. *The Laws*, Book VI (774), pp. 534–35.

49. *Ibid.*, Book VI (776), Jowett's translation, p. 535.

50. *Ibid.*, Book VI (776), p. 536.

51. *Ibid.*, Book VI (774), p. 534.

52. *Ibid.*, Book VI (721), p. 492.

53. *Ibid.*, Book VI (775), p. 535.

to Plato, monarchy stands for order and democracy for freedom. Hence he has suggested a combination of these two in the constitutional practice of the state. Plato in this way gives some concession to democracy. According to Prof. Sabine, "The concession to democracy was certainly very slight and was grudgingly made on account of the discontent of the masses".

(g) *System of education in the state*—So far the scheme of education in the Laws is concerned, it is not very much different from that of the Republic. The outlines of the curriculum are exactly like that of the Republic. He provides a universal compulsory education for women. The difference is primarily in the organization of education—a system of public regulated schools with paid teachers and a magistrate who is responsible for maintaining the educational institutions of the state. He is considered as chief of the magistrates. Plato still distrusts poets and believes in severe censorship of literature and art. The most important office in the Platonic state is that of the minister of education. The well-being of the community depends directly on the character of the education given to successive generations, and the overseer of education should therefore be the best and most illustrious man in the community, as holding its most responsible post. He must be a man of over fifty, with children of his own and should be elected for a period of five years out of the body of the guardians of law by the votes of the other magistrates. The education minister will also be the prime minister of the state.⁵²

(h) *Religion in the Platonic state*—Plato gives a very important place to religion in the scheme of his state. Religion, like education, is subjected to the rules and regulations of the state. Plato forbids private religious exercise. Religious rites will be performed only in public temples and that too by authorised priests. He also suggests that a creed of religion must be created by the state. This makes the Platonic state a theocratic state, which is contrary to the principles of secularism. He proposes penalty for the disbelievers of religion and even imprisonment and death to the atheist.

It is in this way that Plato outlines the plan of his state. He tries his utmost to be practical and realist, but his idealistic temperament proves to be too strong for his practicability and realism. But it does not mean that the plan of the state is not founded on practical propositions. "Even the desert tracts are full of practical hints and suggestions ; and those who have studied the Laws have seldom gone

away empty-handed. Aristotle drew from it much of the substance of Politics, and, most of all, the sketch of an ideal state and the theory of education contained in its last two books. The Utopia of More is based on the Laws of Plato. Many of the lessons which Rousseau essays in the *Contract Social* find their parallel, and probably their origin, in Plato's Laws".⁵³

53 Dr. E. Barker, *op. cit.*, p. 380.

CHAPTER 12

“THE HELLENISM AND UNIVERSALISM IN PLATO”

“To recognize that the Ideas of the prodigious Principal of the first Academy still hold sway over the mind of men is greater praise than any lavish outpouring of adjectives could bestow. There was much in Plato of the ephemeral and the provincial, but the midrib of his political philosophy was timeless and universal.” —*Chester C. Maxey.*

If there is anything delete that social science has taught us, it is this—that man is not ‘completely free intelligence’, but he is, in a large part, a product of his environment. He is conditioned in his feelings, his thoughts, his actions, by the society in which he happens to live. And the society itself, in which he lives, is a product of historical process, not a pattern of life designed and constructed by rational minds. We all, in fact, are creatures of history. Plato of Athens was not an exception to this historical fact. His political philosophy was influenced in a very large measure by the local Hellenic ideas and institutions. But it does not mean in any way that his political thinking is essentially local and narrowly dated. In fact, Plato, like Shakespeare, is not for an age but for all times. His writings contain a good deal which may be described of universal validity. No genius, howsoever poetic he may be, can ever formulate

ideas from nothing. This is a very obvious truth. Consequently, we find both Hellenism and universalism manifesting themselves in considerable degree in the political reasonings of Plato.

1. *Hellenism in Plato* : Plato did not develop his philosophy in isolation. His political thought "does not conceal from even the casual reader the intimate relation between the doctrines enunciated and the currents of practical Greek politics. It does not require the explicit eulogy of Sparta which several times occurs to reveal that the Peloponnesian state and the system she represents constitute the model from which the philosopher draws his inspiration".¹ The influence of Sparta on the Republic is very obvious. As in Sparta so in the Republic the ruling class was completely preoccupied with political affairs. It lived a life of austerity and partook and supervised a strict discipline in order to maintain a complete uniformity among its citizens. Like Sparta Plato also sacrificed the interest of individual and that of his family for the cause of the state. This subordination of the individual and his family to the authority of the state led certain writers to believe that Plato was a great fascist. In Sparta weak and deformed children were destroyed through a practice of 'exposure'. The central idea behind this practice was to have only healthy children who were to become strong and sturdy soldiers for maintaining the life of the state. The matrimonial control on eugenic grounds in the Republic carries the Spirit of Spartan practice with it. "Its most genuinely Spartan feature was the dedication of education exclusively to civic training."² Plato was again greatly influenced by the successful military career and political efficiency of Sparta.

It cannot be denied by any student of political theory that most of the thought of Plato in the *Republic* is influenced by the political and social ideas and institutions of the Spartan people. The system of common tables, community of property, military training of the youth, the participation of women in the political and military life of the community and the hatred of the poets were essentially Spartan in origin. His scheme of education bears a great influence of Sparta. The idea of the improvement of the race demanded a more controlled and a more selective type of union. Its administrative organization was essentially Spartan which was supplemented with the curriculum of Athens "The philosopher, however, was aware of

1. W. A. Dunning, *Political Theories—Ancient and Medieval*, Vol. I.

2. G. H. Sabine, *A History of Political Theory*, p. 63.

the intellectual backwardness of the Spartans and tried to keep a balance between physical fitness and intellectual keenness in the Republic". In his theory of community of wives, Plato was influenced by the Spartan practice of lending wives for state purposes. In Sparta, as Plutarch tells us, "Husbands whose health had declined were required to give the use of their wives to men more robust than themselves in order to produce the maximum number of healthy offsprings". It is to be noted in this connection that much before the publication of the Republic, Euripides had already advocated the community of wives. His community of property can be traced to the practice in Crete, where the system of public tilling of public estates was prevalent. Pythagoras at Corton had remarked that friends should have all things in common.

Besides all these points, there are many others that clearly exhibit the Hellenic influence on his political thinking. "The abolition of marriage was probably an implied criticism of the position of woman in Athens, where her activities were summed up in keeping the house and rearing her children".³ The democratic practices of his own times, particularly the condemnation and death of Socrates at the hands of democracy, made him bitterest enemy of democracy and propounded in its place an aristocracy of intellect. The factions in his own times between the rich and the poor led him to advocate the abolition of property. His doctrine of the division of labour and the classification of citizens on the basis of their intrinsic qualities, is derived from Pythagoras. The Pythagorean concept of 'number'—a square number as the ultimate reality of the physical universe, exercised a tremendous influence on Plato. Plato's philosophy in the Laws, as Dr. Barker says, becomes actually a philosophy of number. The guardians of the Laws and the Nocturnal Council resemble very much with the Senate of Areopagus. The recognition of law as the golden cord of the state, the prohibition of interest on loans, the mode of choosing magistrates through a system of election and the fourfold classification of the population according to wealth are generally Athenian in character. The Greeks were a god-fearing people because the world in the beginning was theological. Plato was also a theologian. He makes religion as his great ally and appeals to Athenian citizens to have faith in God. In spite of his being a great rationalist, in this respect too, he follows the tendency of his own age. "In general", says Prof. Dunning, "the political philosophy of Plato

involves an interpretation of Greek history and a judgment upon existing institutions. His perception of the principles that underlie these institutions is in many cases keen and sure, but his attempt to suggest practical improvement that shall more faithfully express the principles never take him beyond the bounds of Hellenic experience".⁴

2. *Universalism in Plato* : But Plato was not simply a Greek who lived in the fourth century B.C. He was also the inspiration of much modern political thought and action.⁵ This points to the universalism of his political philosophy which is of everlasting importance to the succeeding generations. The old man is dead and we do not know where he is buried. But his ideas are not dead and will not be dead as long as human civilization survives. His Republic has become a part of Western European tradition ; it has moulded our ways of thinking, and more than once a new interpretation of it has contributed to a great revolution which closed one epoch and inaugurated a new one.⁶

His doctrines of the division of labour, functional specialisation, emancipation of women and their equality with men, the rule of intellect and the rule of law are the features of permanent universal interest in his political thinking. His theory of education has inspired many an educational philosopher and they have heavily drawn on it. His purpose of education as the all-round development of personality, the importance that he assigns to environment in the scheme of education, his imparting of instructions through various stages, and his system of elimination tests, all have been accepted by the modern educators. The importance of unconscious and subconscious mind in education and the significance of dreams in unveiling the lower human nature have become the most important features of modern psychology. The prohibition of dowry, practice of birth control and marriage through a system of liking each other, all have received approbation at the hands of modern civilized man.

Plato's advocacy that "The greatest principle of all is that nobody, whether male or female, should be without a leader, nor should the mind of anybody be habituated to letting him do anything at all on his own initiative ; neither out of zeal nor even playfully, but in war and in the midst of peace—to his leader he shall direct his eye and follow him faithfully ; and even in the smallest matter he

4. W. A. Dunning, *op. cit.*, p. 46.

5. R. H. S. Crossman, *Plato—To-day*, 2nd edition, 1959, p. 94.

6. *Ibid.*, pp. 94–95.

should stand under leadership, for example, he should get up, or move, or wash, or take his meals. . . only if he has been told to do so ; in a word, he should teach his soul, by long habit, never to dream of acting independently, and to become utterly incapable of it", have been accepted by all the leaders of totalitarian states. They have utilised his idealism to see "men as they are, observe their radical inequalities, and give to the many not self-government but security, not freedom but prosperity, not knowledge but the 'noble lie' ".⁷ The perfect state, according to them, "is not a democracy of rational equals, but an aristocracy in which a hereditary caste of cultured gentlemen care with paternal solicitude for the toiling masses".⁸ In this contention they do not propound anything new, but simply reiterate the belief and contention of Plato.

According to Prof. Maxey, 'Something of Plato is to be seen in all utopias, and many of the authors of imaginary commonwealths are scarcely more than second-rate imitators of the great Athenian. Nearly all melioristic thought, specially that favouring education and eugenics as the most practicable modes of bettering human society, reaches back to Plato. Milton, Locke, Rousseau, Goethe and others have drawn heavily upon him. His mordant analysis of the fatal tendencies of free enterprise in an acquisitive society has been echoed again and again in the history of western civilization. Our own day, wrestling with difficulties said to result from economic disbalance, a polite name for unrestrained profiteering, is hearing afresh the ancient doctrines of Plato, and is beginning to doubt, as he doubted, whether it is possible to give free rein to men's passion for material possessions and material power without destroying, sooner or later, the common weal'.⁹ According to the same writer, "All socialistic and communistic thought has its root in Plato. Were he alive today Plato would be the reddest of reds, and would no doubt hasten to Russia with the same expectant enthusiasm he displayed in answering the call of the ancient tyrant of Syracuse".¹⁰

To Prof. Jaszi, "The ideal state of Plato and that of the Russian Communists have many elements in common : both regard private property as the sole source of evil ; both would eliminate wealth and poverty ; both favour a collective education of the children, exempted from paternal care ; both regard art and literature only as a means

7. *Ibid.*, p. 92.

8. *Ibid.*, p. 92.

9. C. C. Maxey, *Political Philosophies*, 5th edition (1956), p. 55.

10. *Ibid.*, p. 55.

of state education ; both would control all science and ideology in the interest of the state ; both have a rigid central dogma, a kind of state religion to which all individual and social activity must be subordinated. And if one would object that this analogy is unjustified regarding the spiritual idealism of Plato and the matter-of-fact materialism and violence of the communists, I would answer that Plato had no doubt whatever that this scheme would have been capable of realization only under the protection and violence of armed force ; that is the reason why his political vision of the ideal state was intimately connected with the expectation of a tyrant—a type of philosophical superman—who would give body to his idea.”¹¹

Plato’s reasoning that the ideal sort of life in the society can be possible only through an ideal scheme of government, that the individual good consists in promoting the good of all, that the best life is the life of virtue and that the law is the product of passionless reason, will make Plato a helpful guide for all generations to come. His understanding of human nature was remarkable and he looked on every aspect of human life with a thousand eyes. What keeps him alive, in fact, is the relationship that he establishes between human nature and political philosophy. To conclude in the language of Prof. George Catlin, “Human nature does not die and precisely his love of abstract truth about the nature has saved him. The old problems have all come round again. The old answers are still true. Eugenics, nudism, abortion, feminism, communism, proletarian democracy, division of labour, class-war, scientific expertise—all the problems are here. The Platonic vision grows again—some will think, far from pleasant, too like a Brave New World. But it insists again, as in the old days, on our answer to its Socratic queries. . . ‘The Divine Plato’—Fascist, Communist. . . What ?”¹² At least, until the tale of human civilization is made up, as Meleager, of Gadara, wrote in 60 A.D. :

The Golden Bough of Plato, in all ways Divine, [Is] guide through the Universe for Good and Wise, high that by its own virtue cannot cease to shine.¹³

11. K. F. Geiser and O. Jaszi, *Political Philosophy from Plato to Jeremy Bentham* (1927), p. 4.

12. George Catlin, *A History of the Political Philosophers* (1950), p. 69.

13. Quoted by G. Catlin, p. 71.

“POLITICAL PHILOSOPHY OF ARISTOTLE”

“Man by nature is a political animal. He who is unable to live in society, or who has no need because he is sufficient for himself, must be either a god or a beast ; he is no part of the state”. —*Aristotle.*

1. *The life and Times of Aristotle* : Aristotle was born at Stagira in the year 384 B. C., a Greek colony situated on the eastern coast of the peninsula of Chalcidice in Thrace. His father Nicomachus was a court physician and friend of Amyntas II, the king of Macedon and father of Philip the Great. His father left the world when Aristotle was still a child. He was brought up by Proxenus of Atarneus, whose son Nicanor was adopted by Aristotle and was later married to Aristotle's daughter. He lived at Stagira for a period of eighteen years. It was in 367 B.C. that he migrated to Athens in order to study philosophy under Plato. He remained in close association with the Platonic Academy for twenty years, until the death of Plato in 347 B. C. Disappointed at not getting the direction of the Academy, Aristotle departed from Athens and spent a few years at the court of Hermias, prince of Atarneus in Asia Minor, who had been his pupil formerly in Athens. He fled from the country in the island of Lesbos, taking with him Pythias, the sister of Hermias whose brief tyranny was terminated by a revolution. Some biographers of

Aristotle tell us that Hermias himself invited Aristotle to his court and rewarded his teacher for past favours by bestowing upon him a sister or a niece in marriage. One might suspect this as a Greek gift, but the historians hasten to assure us that Aristotle, despite his genius, lived happily enough with his wife, and spoke of her most affectionately in his will".¹

In the year 342 B.C. he was invited to the Macedonian court by King Philip to take up the tutorship of the crown prince, Alexander, who was only thirteen years of age at that time. He remained there until 336 B.C., when Alexander was called to ascend the throne of Macedonia after the murder of his father. The presidency of the Academy, which was occupied by Speusippus, the nephew of Plato up to this time, was vacant, but Aristotle was not selected to preside over the affairs of the Academy. "He may have been offended, for in 335 B.C. he opened a rival school known as the Lyceum, and he was followed there by some members of the Academy. For the next twelve years he was fully occupied by his work in the Lyceum, and he gradually developed a teaching tradition of his own, departing from the Platonic tradition of the Academy by making biology and history, instead of mathematics, the primary subjects of study".² It was during this period that Aristotle devoted himself with extraordinary industry to the "pursuit of a programme of investigation, speculation, and teaching in almost every branch of knowledge and to the composition of all, or most, or at least the more scientific portions, of those writings which are now extinct".³ During this period he enjoyed a great support and backing of Alexander and the court of Macedonia, but he incurred much of the displeasure of the Athenian people who looked upon their Macedonian rulers as alien oppressors. After the death of Alexander, the anti-Macedonian party came into power in Athens, and when it prepared to bring an accusation of impiety against him, he was obliged to flee the city in order, as he himself said, not to "give the Athenians a second chance of sinning against philosophy". He took refuge under the protection of Antipater, Viceroy to Alexander, in Chalcis in Euboea, where he died in 322 B.C.

The political atmosphere in which Aristotle lived was not quite different from that of Plato. He, too, like Plato, lived through

1. Will Durant, *The Story of Philosophy*, 4th edition (1954), pp. 50-51.

2. A. R. M. Murray, *An Introduction to Political Philosophy*, 2nd edition, (1959), p. 54.

3. *Introduction to Aristotle*, edited by Richard McKeon, 1947, pp. 9-10.

anarchy and war in the Greek city-states. During his life of sixty-two years he had seen the "most important and most disastrous periods of Greek history". He had witnessed the fall of Sparta and the establishment of a temporary Theban supremacy in the battle of Leuctra in 371 B.C. A little before his going to Athens for the second time, the battle of Chaeronea had been fought in 338 B.C. in which the entire Greek world lost its independence. The great days of the city-states were plainly over and Aristotle himself laments the degeneracy of the times. Under these circumstances, to Aristotle, the prospects of unity in the Greek world appeared to be very remote. As to Plato so to Aristotle the unity and stability of political life became a watchword. His *Politics* seems clearly to have been intended by its author primarily as a Statesman's Manual, a textbook for constitution-makers, who, through their constitutional plans, were to provide political unity and stability to the life of the state by arresting frequent changes. His preliminary political studies were influenced by the political atmosphere in which he happened to live. His preliminary studies include a collection and summary statement of the political changes that had occurred and of the political conditions which actually existed in more than one hundred and fifty of the separate little city-states about the Aegean and beyond".⁴ Through his close study of these little city-states, Aristotle came to the conclusion that the main reason for their disunity and political instability was their defective constitution. It is said that he studied as many as hundred and fifty-eight constitutions to prepare a constitution for his own city-state. It has been rightly interpreted by a number of writers that his *Politics*, and particularly its fourth, fifth and sixth books are mere constitutional documentaries "of the conclusions of Greek history, comprising the results of the empiric labour of the last period on the actual historical constitutions".

Contemporary political events and social changes left few marks on his political and moral philosophy, and the search for effects of social conditions in his metaphysics and in his contributions to science has led only to speculative generalizations concerning the influence of environment on thought.⁵ The peace that was forced on Athens by the Macedonian rulers proved to be a great blessing for Aristotle. It permitted Aristotle to organize a course of studies and to initiate a vast scheme of research into the history of political

4. C. H. McIlwain, *Growth of Political Thought in the West*, 10th edition (1957), p. 53.

5. Richard McKeon, *op. cit.*, p. 12.

organizations, of science, and philosophy—the study of constitutions of Greek states, of the history of mathematics and medicine, and of the opinion of philosophers—as well as into the natural history of minerals, plants, and animals, and to lay the foundations thereby for one of the first attempts at an encyclopedic organization of human knowledge.⁶

2. *Aristotle—A Genius* : Plato recognizes the greatness of his pupil by describing him as the *Nous* of the Academy—intelligence personified. His genius received recognition from all and his admirers are too numerous to mention. The observation of Dante Alighieri, the Italian philosopher, is noteworthy. He describes him as, “the Master of Them That Know”. According to Prof. George Catlin, “Aristotle was the greatest of the Encyclopedists of learning—and the first”.⁷ He is commonly called as the father or maker of political science. The title is justified both by the scope and style of his political writing and by the great influence of his ideas upon later political reflection. The range of his discussion is comprehensive, his analysis is systematic ; his exposition is thorough and is fully illustrated from his relatively wide historical knowledge and extensive observation of contemporary governments”.⁸ He was a master in almost every department of knowledge, except mathematics. He founded the Science of logic, and thus fixed meaning of the term which we still employ for the conduct of almost any piece of abstract thinking. There is probably no parallel in the history of mankind either to the vastness of his intellectual achievement or to the extent of its subsequent influence”.⁹ According to Prof. Maxey, “Few men have spoken authoritatively on so many different subjects, and none, perhaps, has ever approached the solitary eminence of the Stagirite as a court of final appeal in things intellectual. For centuries Aristotle on logic, mechanics, physics, physiology, astronomy, metaphysics, ethics, art, poetry, economics and on politics was almost the last word—the unimpeachable authority on which none was more authentic. His information was so much vaster and more exhaustive, his insight so much more penetrating, his deductions so much more plausible than was true of any of his contemporaries or any of his successors prior to the advent of modern science that he became

6. *Ibid.*, p. 13.

7. George Catlin, *A History of the Political Philosophers*, (1950), p. 75.

8. F. W. Coker, *Reading in Political Philosophy*, 15th edition (1957), p. 53.

9. M. B. Foster, *Masters of Political Thought* (1956), pp. 120–21.

the all knowing master in whom the scholastic mind could find no fault".¹⁰

3. *The Method of Aristotle*: The method used by Aristotle for his investigations was scientific. It is, however, true that Aristotle was not the first philosopher to make use of the scientific method. Much before the time of Aristotle, the scientific method was followed by the atomists, Leucippus and Democritus. It was used in the definitions of the Pythagoreans and in the logical inquiries of Socrates into the nature of definition. It was also utilised by Plato in his inductive arguments and the dialectical devices and theories. But the real significance of the scientific method was lost with these philosophers. The atomists reduced scientific explanation to the discovery of the material parts of the object to be explained and the dialecticians gave explanations which were inapplicable to the changing things of experience. Aristotle's conception of scientific method is designed to provide both the treatment of first principle which was inadequate in the practice of the atomists and the applications to motion and material things which were inaccurate in the theory of the dialecticians. Its novelties centre about the treatment of causes, by which the application of principles to things is insured, and the analysis of terms and propositions, by which the accuracy of statement and inference is ascertained".¹¹

It is, however, a method which every sound investigator would like to follow to probe into the causes and nature of things. His method of collection of all available facts as the first step of investigation has been followed even by the modern surveyors and investigators. "But Aristotle lived before our days of questionnaires, and 'surveys' and before the general use or even the recognition of a scientific method. It was he, probably more than any other, who led the way to the application of that method to the facts of political life, though he never thought his task complete as some of our modern collectors of their so-called 'data' sometimes appear to do, with the mere gathering together of a mass of unrelated and undigested, if not indigestible 'facts'. It is indeed on the application of this method to the state that some modern historians believe to rest Aristotle's chief title to fame as a political philosopher".¹² According to Oncken, 'The epoch-making merit' of the Politics of

10. C. C. Maxey, *Political Philosophies*, 5th edition (1956), p. 59.

11. Richard McKeon, *op. cit.*, p. 14.

12. McIlwain, *op. cit.*, p. 54.

Aristotle lies in the application to politics of the methods derived from the investigation of nature.¹³

To explain more explicitly and clearly the Aristotelian method of investigation, it is necessary to examine how he parted company with his master. To Plato the reality was not to be found in concrete and particular things, but it was to be found in general ideas. As for example, the horse and the idea of a horse. To Plato it was not the horse but the idea of a horse which was the reality. The horse may die away but the idea of the horse will never die. But Aristotelian logic was based on the contrary assumption that reality was not to be found in perfect ideas as such. To him it was the horse and not the idea of a horse which was the reality because it could be known, experienced and seen. Aristotle's thesis in this connection was that everything has its own essential substance or reality, and it is through a careful method of observation and comparison that this reality may be discovered. This has been often called as the theory of individual substances as opposed to the theory of ideas propounded by Plato.

As one who had the training of a physician and loved to limit his generalizations to the ambit of facts, Aristotle came to the conclusion that the real scientific method was that which was governed by a process of collection, observation and examination of particular facts. Truth, he declared, is concealed in facts and it is only through their careful analysis that truth may be brought to light. It was this method which was entirely different from Plato. Where Plato lets his imagination take flight, Aristotle is factual and dull. Plato followed the method of deductive reasoning, whereas Aristotle was fundamentally a follower of inductive logic. Plato proceeded from general to the particular, Aristotle followed the opposite course i.e., he proceeded from particular to the general. It is this difference of approach between Aristotle and Plato that makes the political philosophy of the former as essentially dull and hard reading.

Aristotle's method was not only inductive, analytical, scientific, observational and comparative, it was also teleological. Teleology is the doctrine that tries to explain the final causes of things. According to Aristotle a thing's end is its nature. To understand the real nature of a thing, it is essential to examine it in the stage of its fullest development. This is Aristotle's formula for the study of the whole universe—'the growth of ideas from potency into actuality'.

13. Quoted by McIlwain, *op. cit.*, pp. 54-55.

This formula of Aristotle not only applies to the state, but is also equally applicable to the productions of all arts and the works of the physical universe.¹⁴ Aristotle tries to make it simpler and clearer by citing a few examples. As the understanding of the fullest stage of development is necessary for understanding the real nature of a thing, the egg cannot be understood without examining its fullest stage of development which is the hen. Similarly to understand the nature of man, his fullest stage of development which is 'society' or 'state' must be examined. But, since a thing's end is its nature, and the highest end of man's life was to seek the membership of a political community, the real nature of man therefore was 'social' or 'political'. It is this that explains the real significance of the Aristotelian statement that 'man by nature is a political animal'. Aristotle also tells us that nature or end is prior to the form. According to this logic, therefore, the hen is prior to the egg and the state is prior to the individual.

4 *The works of Aristotle* : Aristotle dedicated the whole of his life to the cause of learning. His writings ran into hundreds. Some ancient authors credit him with four hundred volumes, others with a thousand. What remains is but a part, and yet it is a library in itself—conceive the scope and grandeur of the whole.¹⁵ There is no branch of knowledge which Aristotle did not touch and he has written on almost every branch of human endeavour with equal mastery. His is the example of that great scholastic, whose remarkable industry and sincere devotion to the task of literary and intellectual accomplishments, will always continue to inspire the coming generations of scholars and writers. His works include six treatises on logic which are grouped under one name, the *Organon*. *The Categories* treats of simple terms and their peculiarities differentiating ten most universal kinds or categories of terms as well as the simple relations. *On Interpretation* deals with the propositions in which one term is asserted or denied of another and which, therefore, may be true or false, as well as the simple relations of immediate inference which obtain between pairs of propositions. *The Prior Analytics* treats of inferences and proofs or of syllogisms, which are combinations of three terms. *The Prior Analytics* treats of demonstration or scientific proof, which is reasoning based on true and primary premises, that is, premises which state the causes of the phenomena to be explained. *The Topics* deals with the dialectical reasoning,

14. McIlwain, *op. cit.*, p. 57.

15. Will Durant, *op. cit.*, pp. 55-56.

which is based on opinions generally accepted, rather than on scientific premises, which are believed on the strength not something else but of themselves. *On Sophistical Refutations* deals with fallacious arguments which start from opinions that seem to be accepted generally, but are not really accepted.

His dialogue, *On the Soul*, explains that the soul is the formal, efficient and final cause of living. In this dialogue the processes of sensation and thought are elaborated at a considerable length. His *History of Animals* is a lengthy classification of animals on the basis of similarities and differences in their parts, organs and functions, including reproduction, heredity, the development of the embryo, diet, diseases, the effects of environment and the struggle for means of subsistence, psychological differences, and intelligence. His book, *On the Parts of Animals*, contains an excellent statement of method in the biological sciences. It deals with the biological phenomena that are explained by the material parts and organs of animals. *On the Progression of Animals* differentiates the modes of their locomotion. *On the Generation of Animals* treats of their reproduction as an instance of the operation of the efficient cause. In the *Physics* Aristotle treats of the principles of natural bodies and of natural motions, analyzes the concepts implied in motion such as continuity, infinity, place, void, sets forth the kinds and causes of motion, and relates them all by tracing the causes of motion back to an unmoved mover. His *Metaphysics* is concerned with causes as such and tries to state them in scientific fashion. In *Nicomachean Ethics*, Aristotle discusses such questions as "What is the good for man? whether goodness or happiness are identical? what is a moral virtue? how moral virtue can be attained? what is friendship? the internal nature of friendship and the need of friendship, what is pleasure and happiness? and whether pleasure and happiness are identical". In this he establishes a close relationship between ethics and politics. All human activities, he says, aim at some good, but the science of the good for man is politics. Hence politics and ethics are very much related to each other.

Among his later works are included *On Monarchy*, *Constitutions*, *On Colonies* and *On Philosophy*. It is said that occasionally Alexander the conqueror, in India or the Middle East, used to remember to send a rock or a mineral, to add to the natural history collection in which his master, Aristotle, was interested. In return, the treatise, *On Monarchy*, was prepared by Aristotle as a gift to Alexander. His treatise, *On Colonies*, suggests

to Alexander the dangers of race-mixture. In this, he opposes Alexander's attempts at race-equalization ; and maintains the theory that Greeks should be governed by constitutional measures, and the non-Greeks should be governed despotically as they are accustomed to a despotic rule. His *Constitutions* is a collection of various constitutional principles which he prepared after studying as many as one hundred and fifty-eight constitutions. The treatise, *On Philosophy*, contains the Aristotelian repudiation of the Platonic doctrine of pre-existent or real Ideas. In this he asserted the eternity of Matter. His most important work on political philosophy was the *Politics*, which we shall examine in a separate chapter.

CHAPTER 14

THE "POLITICS" OF ARISTOTLE

"The object of the *Politics* is both practical and speculative ; to explain the nature of the ideal city in which the end of happiness may be completely realised ; to suggest some methods of making existent states more useful to the individual citizen than they were in Aristotle's time, or had been in the past.

—*Benjamin Jowett.*

1. *The 'Politics' of Aristotle* : The *Politics* of Aristotle has always served as a pillar of light to all those who came after him. It has been a great source of inspiration to all the political scientists of the world. Its subject matter is not merely theoretical, but it has a great practical utility also. For this reason his memory will always be cherished by political theoreticians and practical statesmen. He based his *Politics* upon a detailed study of a number of governments of his time, especially those of Crete, Carthage, Sparta, and Athens ; and upon the writings of men who preceded him, such as Phaleas, Hippodamus, and especially Plato. The *Politics* is not a systematic study of political philosophy, but rather a treatise on the art of government. In it Aristotle analyses the evils that were prevalent in the Greek cities and the defects in their political systems, and

gives practical suggestion as to the best way to avoid threatening dangers.”¹ In the light of this observation it can, therefore, be said that “the *Politics* of Aristotle is a work of such practical reason. It is a handbook for the statesmen, containing the wisdom distilled, as it were, from the collective political experience of the Greek states”.² Realising the practical aspect of his work he described the *Politics* as a treatise on government. He approached his subject from a quite different angle from Plato. He determined to examine existing constitutions of states and to deduce therefrom the laws which governed their behaviour.³ This deduction was very much needed at a time when several Greek city-states were frequently engaged in the business of making and remaking their constitutions. It led Prof. Maxey to observe that the *Politics* of Aristotle was “intended to serve a very practical purpose”.⁴ The object of the whole study was to find out such constitutional laws and principles on the basis of which such a constitution could be drafted which would be stable and stand the test of time.

2. *Controversy about the ‘Politics’ of Aristotle* : Scholars of political science have expressed contradictory opinions about the worth of the *Politics* of Aristotle. On the one hand, Zeller gives it a supreme place in the world’s stock of political ideas. According to him, the *Politics* of Aristotle “is the richest treasure that has come down to us from antiquity and the greatest contribution to the field of political science that we possess”.⁵ On the other hand, Prof. A. E. Taylor gives it a very insignificant place in the annals of political writings. According to him, “No Aristotelian book is quite so commonplace in its handling of a vast subject as the *Politics*”. These are very puzzling opinions and one fails to decide as to which one is more authentic. Prof. George Catlin is in agreement with the opinion expressed by Zeller. He regards Aristotelian *Politics* as “the greatest single influence upon political thought”.⁶ He discards the opinion of Prof. A. E. Taylor by saying that Prof. Taylor is, of course, an eminent metaphysician and his opinion about politics is not a professional one. Anyhow, it is almost certainly wrong unless

1. R. G. Gettell, *History of Political Thought*, 15th edition (1951), pp. 49-50.

2. M. B. Foster, *Masters of Political Thought* (1956), p. 123.

3. Phyllis Doyle, *A History of Political Thought* (1949), p. 32.

4. C. C. Maxey, *Political Philosophies*, 5th edition (1956), p. 62.

5. E. Zeller, *Aristotle and the Earlier Peripatetics*, English translation, Vol. II, p. 288.

6. George Catlin, *op. cit.*, p. 79.

he gives much higher comparative ranking to other Aristotelian books than is general.⁷ Prof. Bowle also seems to agree with Dr. Zeller when he says that the Politics of Aristotle "is the most influential and most profound. It is the book which must be mastered before all others". A number of other authorities on the subject may be quoted in support of Dr. Zeller, but a dispassionate critic of Aristotle will have to admit that the opinion expressed by Prof. A. E. Taylor cannot be easily set aside. Prof. Taylor has also admitted that the subject matter of the Politics is really vast ; but his objection is that such a vast subject as contained therein has not been carefully attended to by Aristotle. It has, rather, been very ordinarily and superficially dealt with. Prof. C. H. McIlwain seems to agree with this point of view. According to him, the Politics of Aristotle "is full of cross references of an extremely puzzling kind. At times they cite the discussion of a subject which apparently has received no treatment whatever in the text as we have received it, at other times there will appear in what, on good evidence, seems to be an earlier part of the treatise, a clear reference to a part that now comes later, and the whole book is marked by abrupt changes of the subject, parenthetical statements, and promises of later discussions which are never fulfilled".⁸

Much, however, can be said, and has been said on both sides of the controversy. But the consensus of opinion seems to favour the points of view expressed by Dr. Zeller. It is certainly a fact that the *Politics* of Aristotle is really the richest store of political knowledge. It can be aptly described as a mine of information in which later writers of Roman, medieval, modern and recent periods have dug. The importance of the subject that he discusses in his *Politics* cannot be denied by anyone. The information that he gives about the actual conditions of Greek constitutional life, the logical method of inquiry which he pursues, the importance that he gives to economic and geographical factors in influencing political organizations and activity, his conception of a high civic ideal of state governed by reason and aiming at good life, his profound generalizations applying to political life in all times and places, and his belief that the purpose of the state was not to extend its dominion or enrich its people, but to widen knowledge, promote virtue, and

7. *Ibid.*, p. 69.

8. C.H. McIlwain, *Growth of Political Thought in the West*, 10th edition (1957), pp. 50-51.

secure justice to all, are things, which will always continue to inspire the posterity of political scientists.

Another aspect of the controversy is the very authorship of the work. It is believed by some that the book was not written by Aristotle himself but they are 'really notes of Aristotle's lectures taken down by his pupils and preserved in the Lyceum'.⁹ There are other writers who hold that the books of politics are simply the rough notes prepared by Aristotle himself.¹⁰ Some believe that the books were a several series of lectures delivered at the Lyceum at different times, and which later were put together to constitute the present work.¹¹ Some writers contend that the book was actually produced not by Aristotle but either by Aristotle's successors or of their pupils in the Lyceum.¹² Writing in connection with this controversy Prof McIlwain has observed, "It seems safe to say that the form of these writings is somewhat owing to their connection with Aristotle's actual teaching in the Lyceum, possibly as students' notes, but far more likely as the notes of the master himself; and that what we have may be a patch-work, made up later, composed in part at least of portions of two or more series of notes for lectures on the same general subjects but possibly delivered by Aristotle in different years, and occasionally including parts of separate and more elaborately polished treatises now lost".¹³ This is, however, all a guess and conjectural work. But from the arrangement of the subject matter and the summary fashion in which certain topics have been discussed, one is led to conclude, at least, that the work was not produced by Aristotle in the form of a systematic writing, and by devoting considerable time at a stretch.

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between and the changes within them' (Book IV, V and VI) and (3) 'the principles underlying the best state' (Books VII and VIII).²⁰

Prof. G. H. Sabine,²¹ following Warner Jaeger, a reputed scholar of Aristotle, puts forward the hypothesis that Books II, III, VII and VIII, which are mainly concerned with the theories of the ideal state were written immediately after the death of Plato ; while Books IV, V and VI, which deal primarily with the study of actual state and the conditions governing their stability, were not written until some years after the opening of the Aristotelian academy. The hypothesis finally, suggests that Book I was written last of all and was perhaps intended as a general introduction to the whole treatise. "It is certainly true", says Prof. A. R. M. Murray, "that in Books II, III, VII and VIII Aristotle is more interested in describing an ideal state whereas in Books IV-VI he assumes that the political ideal varies from state to state and argues that the duty of government is to realize that political ideal as completely as possible whatever form it may take".²²

According to Prof. Catlin, the *Politics* belongs to Aristotle's middle period. The four books II, III, VII and VIII (traditional numbering, followed by Jowett) belonging to the earlier Platonic period, were occupied with the discussions of the ideal state. Book IV, V and VI, which comprise the results of the empiric labour devoted to the study of historical constitutions, represent the more mature period of Aristotle's life. It is, however, agreed by all thinkers that Book I was added later as an introduction to the entire work.²³

4. *The Theme of the 'Politics' of Aristotle* : In the history of political philosophy no one has surpassed Aristotle in encyclopedic interest and accomplishments. His *Politics* which consists of eight parts covers a wide range of subjects, political science, education, ethics, jurisprudence, psychology and economics. He himself describes the *Politics* as a treatise on government. He opens his *Politics* with two important ideas : namely, (1) that the state is a community, and (2) that it is the highest of all communities, "which embraces all the rest, aims at good in a greater degree than any other, and at the highest good". Considering the state as the supreme organization

20. Wilamowitz, Quoted by McIlwain, *Growth of Political Thought in the West*, p. 61.

21. G. H. Sabine, *op. cit.*, p. 89.

22. A. R. M. Murray, *Introduction to Political Philosophy*, p. 55.

23. George Catlin, *op. cit.*, pp. 78-79.

of human life, Aristotle started in his *Politics* by explaining first of all the origin, nature and purpose of the state. As opposed to Plato, he approached his subject from quite a different angle. He started to examine existing constitutions of states and to deduce from their constitutional practices the laws which governed the behaviour. He examines the various states not only in theory but in practice also. He proceeds not only to criticise the existing constitutions but also suggests proposed models for state. In this connection he attacked the ideal state suggested by Plato.

Aristotle's *Politics* is not only a treatise on political science but on education also. He considers reason as the only differentia of man. The highest development of personality is achieved when this differentia i.e. the reason, is fully realised. The chief purpose of education is to establish the supremacy of reason. The work is not only meant for the statesmen and educators, but it also serves as a great handbook for moral and ethical thinkers. It says a great deal about moral virtues. The purpose of all political activity was to promote a good life which was the purpose of ethics. Politics and ethics, in this way, were closely related subjects. He often refers to ethics as politics and sometimes seems to refer to ethics as a different science. His good citizen is entirely different from good man; but their qualities are identical in the ideal or perfect state. "His principle of morality", says Prof. Dunning, "which he consistently sets forth, was that of a rational choice of the mean between two extremes of conduct. The application of this principle involved the fullest recognition of human free will and led Aristotle often to ascribe to the self-conscious, rational intelligence of the individual, the character of self-sufficiency which he had ascribed to the state".²⁴

The *Politics* of Aristotle is also a great treatise on Jurisprudence. Sufficient space has been devoted to the discussion of justice and law. Unlike Plato, Aristotle propounded what is known as the legal theory of justice. He understood that the basic issue was between the rule of law and the rule of men. Admitting that man-made law can never attain perfect justice, Aristotle stresses that "the rule of the law is preferable to that of any individual", and the magistrate should regulate only those matters on which the law is silent. "The Aristotelian concept of the rule of law became one of the dominant political ideas of the Middle Ages, during which political relations were largely based on custom. In modern times the concept of the

24. W. A. Dunning, *Political Theories—Ancient and Medieval*, p. 52.

rule of law has become one of the pillars of the constitutional edifice of the United States".²⁵

Lastly, the *Politics* of Aristotle is a great work on psychology and economics. His conception as to the origin of the state is founded in human psychology. Man by nature, he declares, is a social animal. It is this sociality which becomes the prime cause of the origin of the state. His justification of slavery is also founded on human nature. He supports the rule of the superior over the inferior, and such a rule, he says, is to the advantage of both. Aristotle realises that economic motives play considerable role in influencing political actions and determining political affiliations; with this point in view, Aristotle proceeds to regulate the economic life of the community. His views on property were developed in direct reference to Plato but they are of more general nature and constitute even to this day the ablest defence of private property.²⁶

5. *The Influence of 'Politics' on Subsequent Thought*: The influence which the *Politics* of Aristotle exercised on subsequent thought is tremendous. Political thought, which may be termed as realistic and resting on workable propositions, was his legacy. Prof. Foster has very rightly observed, "There is probably no parallel in the history of mankind either to the vastness of his intellectual achievement or to the extent of its subsequent influence".²⁷ From his writings it is quite obvious that he was not writing things for his own age. It was this tendency of his writings which influenced his successors most. "He writes the political philosophy of the city-states as though it were eternal, instead of being a phenomenon peculiar to an age which had already passed away".²⁸ His theory of revolution became a guide both for statesmen and political scientists. Bodin, the French political philosopher, was greatly influenced by it. The recent thinkers and advocates of the evolutionary theory of the origin of the state, have learnt a great deal from Aristotle. His doctrine of proportionate equality has been accepted by all socialist thinkers, and champions of economic democracy. "If you take English political thought and action from Pitt and Fox onwards", writes Prof. Gilbert Murray, "it seems to me that you will always find present... strands of feeling which are due—of course among many other causes—to this germination of Greek influence; an unquestioning

25. W. Ebenstein, *Introduction to Political Philosophy*, p. 33.

26. *Ibid.*, p. 32.

27. M. B. Foster, *Masters of Political Thought*, Vol. I, p. 121.

28. *Ibid.*, p. 122.

respect for freedom of life and thought, a mistrust of passion,... a sure consciousness that the poor are the fellow citizens of the rich, and that statesmen must as a matter of fact consider the welfare of the whole state".²⁹

His classification of states was followed almost by all political philosophers in all ages. His doctrine that the state must be based on the rule of law has been one of the most civilizing and liberalizing political influences in the 19th century. "In England, A. V. Dicey's formulation of the rule of law and its specific relations to the British political system has become a vital contribution to the understanding of constitutional government. The concept of the rule of law, of the constitutional state, is perhaps the most important legacy Aristotle has bequeathed to posterity".³⁰ There are certain political ideas in his philosophy which have become of universal validity and which will always continue to inspire the succeeding generations of students of political philosophy. His ideas, that man by the law of his being is a member of a political community; that the true state is a partnership in a life of virtue; that the law is the expression of pure and dispassionate reason; that righteousness consists for each man in doing his own appointed function in the life of the community, have received acceptance and approbation from all political scientists of the world.

According to Prof. George Catlin, "The greatest single influence upon political thought—certainly academically and in derivative fashion, popularly during the last century and a half has been the revival of Hellenism, with its socialist implications. It came through Hegel and through Hegel, both Marx and Fascism. Of this a good half was Aristotelian, since it could make a contact with the Protestant individualist tradition which Platonism could not".³¹ and Green's belief that the Polis or the state "remains in the sake of the good life", the basis of much nineteenth century Social Reform, is Aristotle's explicit teaching".³¹ His idea that the "state comes into existence for the sake of life, continues to exist for the sake of good life", explains that theory of political obligation which, today, has been accepted generally as the moral basis of all democratic governments. "In so doing he demonstrated his greatness as a philosopher, for it required insight and

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higher order to recognise, within the narrow confines of the city-state, the operation of the principles which, many centuries later, have come to be accepted as the essential foundation of the democratic way of life".³² His conception of utility as the ideal, which the statesman should pursue, has been accepted without any modification by every thinker whose concern it was to promote the general welfare. "His views as to the origin and ultimate structure of society, as to the aims of civic life, as to the mutual obligations of the state and the individual and as to the nature of political justice" have very much influenced the later streams of political ideas in these directions.

The philosophers of the scientific, pragmatic, utilitarian and historical school of thought have drawn heavily upon Aristotle. The scientific and the historical method which he pressed into the service of political science, explains 'the epoch-making merit' of the *Politics*. "It is indeed on the application of this method to the state that some modern historians believe to rest Aristotle's chief title to fame as a political philosopher".³³ He established a logical method of political enquiry which made possible a distinct science of the state. Although his *Politics* is based on conditions of the Greek world, yet it contains many profound generalisations applicable to political life in all times and places. His recognition of the importance of economic factor and geographical conditions on political organization and activity, his contention that the high civic ideal of a state governed by reason and aiming at good life, his belief that the purpose of the state was not to extend its dominion or enrich its people, but to widen knowledge, promote virtue, and secure justice to all, have influenced a host of political thinkers in different ages. His *Politics* came for European philosophy what the Bible was for theology.³⁴ It influenced tremendously the Christian thought. Through the authority and personality of St. Thomas Aquinas, it influenced the Catholic Europe. Its influence can be clearly seen on the writings of Marsilio of Padua and Machiavelli. Among the modern philosophers, Bodin, Montesquieu and Harrington were influenced in a very large measure by the work of Aristotle. With this influence on political thought, the *Politics* of Aristotle remains a very impressive embodiment of scientific genius and political insight.

32. A. R. M. Murray, *op. cit.*, p. 68.

33. C. H. McIlwain, *op. cit.*, p. 54.

34. Will Durant, *The Story of Philosophy*, 4th edition (1954), p. 93.

CHAPTER 15

ARISTOTLE'S THEORY OF THE STATE

"The state is a union of families and villages having as its end a perfect and self-sufficing life. . . . It is the highest form of community and aims at the highest good".

—*Politics of Aristotle.*

1. *Origin of the state* : Aristotle's conception of the origin of the state is a unique contribution to political thought. The miraculous way in which he has resolved this tangle, has been duly recognised and respected by all serious thinkers of political science. He has no patience with the idea that the state is the handiwork of God, or the result of a superior physical force or the playwright of individuals. The instrumentalist view of the state as propounded by the Sophists that the state was an 'instrument, a mechanism, a piece of machinery to be used for purposes and ends higher than itself,' had been completely rejected by Aristotle. The theory was, however, revived in the modern times by such philosophers as Hobbes, Locke and John Dewey.

While giving his explanation of the origin of the state, Aristotle makes a searching analysis and comes to conclude that the origin of the state is to be found in the evolution of human nature. The state, according to him, is a natural institution. "It is founded no

a natural impulse towards that political association".¹ Aristotle says that "man by nature is a political animal". And he who by nature and not by mere accident is without a state, is either above humanity, or below it ; he is the "Tribeless, lawless, heartless one", whom Homer denounces—the outcast, "who is a lover of war ; he may be compared to an unprotected piece in the game of draughts".² To describe it more aptly in the words of Prof. A. C. Bradley "the state is man's natural destination",³ because "man is by nature a political animal", or as Prof. McIlwain has put it, "we know man to be a political animal because his natural destination is the state".⁴

Aristotle identifies the nature of a thing with the end towards which it is developing. At every unfinished stage, the thing is partly realizing its own nature and this nature is fully realized as soon as the end is completely achieved. It is, therefore, clear that this evolution of nature takes place through stages. Aristotle also tells us through his biological studies that the "simplest and most primitive comes first in time, while the more complete and perfect comes only later after growth has taken place. The later stage, however, shows more adequately than the earlier what the true 'nature' of a thing is". A seed, for example, discloses its true nature only when it germinates and as the plant grows. The same kind of explanation also applies to the growth of the state. Since the 'nature' of man is political, it is fully seen and realised in the development of the state. This development of the state, thus, takes place according to the law of human nature. It is this growth that explains the real significance of the statement that "state is natural to man".

In this growth of the state, the first stage is represented by the family. The family, says Aristotle, is prior in time but the state is prior "by nature". It is prior by nature because "it is the more completely developed and, therefore, the more indicative of what the community has implicit in it". According to him, man represents a compound of qualities that are reflected in corresponding forms of association.⁵ "In the first place there must be a union of those who cannot exist without each other ; for example, of male and female,

1. *Politics*, Book I, Jowett's translation, p. 28.

2. *Ibid.*, Book I, 9-10, p. 28.

3. A.C. Bradley, *Aristotle's Conception of the State*, quoted by McIlwain, *op. cit.*, p. 68.

4. *Ibid.*, p. 69.

5. *Politics*, Book I, 2, p. 25.

that the race may continue ; and this is a union which is formed, not of deliberate purpose ; but because, in common with other animals and with plants, mankind have a natural desire to leave behind them an image of themselves".⁶ The family, thus, automatically comes into existence for the satisfaction of biological needs. It is an association that satisfies not only the biological needs but also everyday material wants of human existence.

But the family was not able to satisfy all the needs. "The association aims at something more than the supply of daily needs".⁷ Man's social sentiment, his desire for companionship and community, led to the natural extension of the family, and thus, the village came into existence. The village, according to Aristotle, is the second stage in the development of the state. And the most natural form of the village appears to be that of a colony from the family, composed of the children and grand-children, who are said to be "suckled with the same milk".⁸ The village is a wider society and is able to satisfy new needs of human life. But the village is not all important. It is the halfway house on the road of development. But it makes possible the transition from the household to the state.

In this development of the state, Prof. Ebenstein says, the family is the first form of association, lowest in the chain of social evolution, and lowest on the rung of values, because it is established by nature "for the supply of men's daily wants". The village is the second form of association, genetically more complex than the family, and aiming "at something more than supply of daily need", meeting at least some rudimentary and primitive cultural wants that the family cannot satisfy. But this development is not sufficient because his "moral nature, the quality that makes him most specifically human", is not yet satisfied. The self-sufficiency that men want to achieve is not yet ensured, and hence the evolution does not stop here.⁹

The last and the final stage of evolution is the state itself "when several villages are united in a single community, perfect and large enough to be nearly or quite self-sufficing, the state comes into existence, originating in the bare needs of life", and continuing in existence for the sake of a good life.¹⁰ It is the highest form of

6. *Politics*, Book I, 2, p. 26.

7. *Ibid.*, Book I, 5, p. 27.

8. *Ibid.*, Book I, 6, p. 27.

9. William Ebenstein, *Introduction to Political Philosophy*, p. 25.

10. *Politics*, Book I, 8, p. 28.

association in terms of social value and purpose. It ensures self-sufficiency and promotes a good life. It does not exist merely for companionship but for the sake of noble actions. Thus, the state, according to Aristotle, is the highest form of association, not only in terms of the social and institutional, or objective, values, but in terms of man's own nature. As the "earlier forms of society are natural, so is the state, for it is the end of them, and the (completed) nature is the end. For what each thing is when fully developed, we call its nature, whether we are speaking of a man, a horse, or a family. Besides, the final cause and end of a thing is the best, and to be self-sufficing is the end and the best. Hence, it is evident that the state is a creation of nature and that man is by nature a political animal".¹¹ It is to be noted here that Aristotle does not make any distinction between state and society. In his case both the terms are synonymous and convertible. If it is to be said that man by nature is a political animal, and at the same time, if it is to be said, that man by nature is a social animal, it does not make any difference to Aristotle. Aristotle, again, does not recognise any difference between social and political associations in as much as they aim at a common good through joint action; the state differs from other associations because its purpose is the promotion of the highest and the common good.

Writing in this very connection, Prof. Ebenstein has observed, "Since the seventeenth century the state has been sharply distinguished from all other associations because it alone possesses sovereignty, or the highest authority in a politically organized community, and the legal monopoly of enforcing such authority in its territory. Aristotle knows not of the conceptual distinction, or contrast between individual and society, nor can he visualize the latter conflict between society and the state. If Aristotle were to think at all of the state as sovereign, he would think of the highest purpose of the state rather than of its supreme authority over its citizens. His is a conception of moral sovereignty rather than of legal sovereignty. Nurtured in the tradition of the small city-state, Aristotle could still say that "the will to live together is friendship", and he would have abhorred the conception that the state is held together, not by personal bonds of friendship and fellowship, but by impersonal and anonymous rules of law, uniformly applying to vast territories and populations, as in modern states and empires".¹²

11. *Ibid.*, Book I, 8-9, p: 28.

12. W. Ebenstein, *op. cit.*, pp. 25-26.

There is another very important thing which is to be noted in connection with the Aristotelian conception of the origin of the state. From the Aristotelian explanation it is quite clear that he regarded the city-state as the highest unit of political organization. He could not foresee the further development of the state, and particularly even at that time when his pupil Alexander the Great, was thinking to found a world empire and had actually started for the accomplishment of this end. In this respect, therefore, his views are very conservative. Commenting on this, Prof. A. E. Taylor has observed, "It is amazing to us that this piece of cheap conservatism should have been uttered at a time when the system of independent city-states had visibly broken down, and his former pupil, Alexander, had started to found a gigantic empire to take its place as a vehicle of civilization".¹³

2. *Nature of the State* : (a) *State a wider self*—Aristotle considers the state as a wider self. According to him a man's self is the complex of his interests. For the satisfaction of his multifarious desires and interests he organizes a number of clubs and associations—like the political club, literary and a cricket eleven. But they are not artificial in the sense that they are organized by man. They are natural because they are the essential part of a man's self. To cultivate as many facets to life as possible is to attain the fullest possible self. To Aristotle there is no distinction between the life of the individual and that of the state. If the life of the state is fully developed, it leads automatically for the fullest development of his self. Man so completely identifies himself with the state that the inmost self is pained with the pain and is pleased with the pleasure of the state. In a developed city, says Aristotle, an individual attains all things—life, society, morality and self-sufficiency. The state in this sense is a wider self.

(b) *State is Naturel*—State according to Aristotle is a natural and necessary institution. It is natural because its origin lies in the very nature of man. Man by nature is a social animal and his instinctive gregariousness always herds him into society. He looks towards the society for support because of his lack for self-sufficiency. It, therefore, follows that the state is natural, as it is inherent in human nature. Aristotle again gives a very fine argument to illustrate that the state is natural. His argument is that nature always works for the best or what is best is the product of nature. State is the best

possible life to which an individual can aspire. And since state is the best, therefore, it is the product of nature; and since it is the product of nature, therefore, it is natural. It is again natural because it is the outcome of the end of man's life—his natural destination to seek the membership of a political community. It is in realizing this end that the state comes into existence. It is in this sense that the state is natural.

(c) *State as the product of Reason*: The state is the product of reason because it is the culmination of the evolution of his nature. Nature, as Aristotle says, "makes nothing in vain, and man is the only animal whom she has endowed with the gift of speech. And whereas mere sound is but an indication of pleasure or pain, and is, therefore, found in other animals".¹⁴ The animals are united by mere sensations, but men by reason endowed as they are by reason and "the power of speech which is intended to set forth the expedient and inexpedient, and likewise the just and the unjust".¹⁵ It is the characteristic of man alone that he "has any sense of good and evil, of just and unjust, and the association of living beings who have this sense makes a family and a state".¹⁶ The state, in this sense, is the product of reason.

(d) *Organic Nature of the State*—Being influenced by his biological studies, Aristotle regards the state as an organism. As an organism consists of different parts, in the same way, the state is the whole of which associations and individuals are the parts. The whole, by logic, is prior to the part. As a right angle is prior to an acute angle, and a circle is prior to a semi-circle, in the same way, the state is by nature clearly prior to the family and to the individual, since the whole is of necessity prior to the part.¹⁷ As in the human organism its various parts have significance and importance as long as they are the parts of the organism, in the same way, individuals are important as long as they are the parts of the state. A hand is called a hand as long as it is a part of a body. But if it is not a part of the body, it cannot rightly be called a hand, although we call it a hand simply by accident. "The proof that the state is a creation of nature and prior to the individual is that the individual, when isolated, is not self-sufficing; and therefore he is like a part in relation to the whole".¹⁸ It is, in this way, that Aristotle through his organic

14. *Politics*, Book I, 11, pp. 28-29.

15. *Ibid.*, p. 29.

16. *Ibid.*, 12, p. 29.

17. *Ibid.*, 13, p. 29.

18. *Ibid.*, 14, p. 29.

conception of the state, has tried to exalt the state over the individual—a conception which found acceptance with the fascists but rejected by the individualists.

Through his organic view of the state, Aristotle, like Plato, aims at unity. But he is unwilling to go as far as Plato. For Plato unity became an ideal to which he sacrificed everything else, the happiness of the rulers and the ruled. Plato's aim, in fact, was absolute unity for which Aristotle had no patience. He criticises Plato's doctrine and warns against the excessive unity in the state. He is very doubtful whether such an absolute unity can ever be achieved, and even if it could be achieved, "we ought not attain this greatest unity, for it would be the destruction of the state".¹⁹ What Aristotle, in fact, wants to see is unity in diversity. Aristotle's argument is that "a state is not made up only of so many men, but of different kinds of men ; for similar do not constitute a state".²⁰ These different elements function not for themselves but for the common good of the state. Aristotle rightly feels that this differentiation can, in no way, be abolished altogether ; hence he allows the differentiation to continue with the conviction, of course, that in doing so the unity of the state is in no way affected. Instead it establishes a rationalist type of unity which appeals to the common sense. Aristotle, in short, has no faith in Platonic conception of unity which is "indicated by the fact of all men saying 'mine' and 'not mine' at the same instant of time, which according to Socrates is the perfect unity in a state".²¹

3. *End of the state* : What does that state exist for ? This is a question to which philosophers in all ages tried to provide an answer in their own way. The answer given to this question by Aristotle is of supreme importance, as it could vehemently influence the development of subsequent thought. The answer is valid today as it was in his own times. The state, according to Aristotle, does not exist merely to satisfy the material requisites of its citizens. It exists to promote a life of virtue and morality among its citizens. Aristotle, in this connection, has rightly observed, "The state comes into existence for the sake of life, but it continues to exist for the sake of good life". A good life, according to Aristotle, requires three types of goods—external, physical and spiritual. In the external goods, Aristotle includes wealth, slave and leisure etc. In the

19. *Politics*, Book II, 2, p. 55.

20. *Ibid.*, Book II, 3, p. 55.

21. *Ibid.*, Book II, 2, p. 57.

physical goods he includes physical attainments, the development of health. In the spiritual goods he includes the attainment of virtue and the development of morality.

In order to justify its existence the state is required by Aristotle to perform two types of functions—negative and positive. Among the negative functions Aristotle includes such functions as to secure peace and order to guarantee the satisfaction of economic needs and commercial exchanges. Among the positive functions he includes mainly one function namely the attainment of happiness. Writing in this very connection Aristotle says that only that “city is best governed which has the greatest opportunity of obtaining happiness”.²² This happiness to Aristotle is the “realization and perfect exercise of virtue.”²³ This virtue in the state is not a matter of chance but the result of knowledge”.²⁴ According to Aristotle “there are three things which make men good and virtuous : these are nature, habit and reason”,²⁵ and for the perfection of these Aristotle assigns to the state the function of providing the right type of education to its citizens so that they may lead a noble and virtuous life—a life of contemplation or active mental exertion.

4. *Classification of the State*: Aristotle's classification of the state is both quantitative and qualitative. It is qualitative because the form of the state is determined by the number of persons who enjoy political power in the state—whether the political power belongs to one, few or many. It is qualitative because the form of state is also determined by the end of the state and the spirit of its government. These are the two bases of his classification of states, and it is the latter one which distinguishes between the pure and perverted form of states and government. The state, according to Aristotle, does not exist for itself but for the common good of the whole community. If a state pursues this end which is the common good, the state is said to be normal. But if it does not pursue this end, it is said to be perverted. The Aristotelian classification of states, for this reason, is normal and as well as perverted.

On the bases of the above classification the states are of six kinds—normal and as well as perverted.

22. *Politics*, Book VII, 4, p. 294.

23. *Ibid.*, Book VII, 5, p. 284.

24. *Ibid.*, Book VII, 9, p. 285.

25. *Ibid.*, Book VII, 10, p. 285.

Number	Normal	Perverted
One	Monarchy	Tyranny
Few	Aristocracy	Oligarchy
Many	Polity	Democracy

To Aristotle, according to this classification, polity is the best form of state, because, it is the rule of the many for the common good. Democracy, according to this classification, is regarded to be the worst form of state. In this respect he has followed his teacher, Plato, very closely. In his scheme of classification, Plato also regards it as the worst form of government—a government which is just opposed to that Aristocracy of intellect which was his true ideal.

5. *Appreciation and criticism of the Theory*: Aristotle's theory of the origin of the state is a historical theory. It tries to explain that the state has come into existence through an evolutionary process which is connected with the very nature of man. The theory, however, has ignored many factors which have contributed to state building. The theory is not only historical but economic also. It is an economic theory because its origin is traced to the satisfaction of economic needs. Aristotle himself says that "the state comes into existence for the sake of life" Its simple meaning is, that the state in the beginning comes into existence for the satisfaction of material needs of human existence. But since the state continues to exist for the sake of good life, the theory, therefore, may also be called as ethical. It is not only ethical, but a psychological theory as well, since it is founded on human nature which is social and gregarious. The theory of Aristotle is also physiological in character, because it explains the origin and development of the state, through the urge for the propagation and continuance of the human race. Lastly, the theory of Aristotle is also teleological, because the state has been devised for a purpose—i.e., for the sake of life and continues to exist for a purpose—which is the good life.

His organic conception of the state makes it a mighty Leviathan which has no regard and respect for individuals. It is not regarded a satisfactory explanation of the nature of the state nor can it be regarded as a trustworthy guide to state activity. His "organic conception of the state has been used more eagerly and more frequently by conservatives and anti-democrats than by democratic political writers".²⁶ The conception, however, is not

26. W. Ebenstein, *op. cit.*, p. 26.

entirely useless. It creates among citizens the consciousness for working for a common objective. It leads to the socialisation of the citizens who forget their own selfish ends and function for the betterment of all. "The awareness is growing even among the heirs of 18th and 19th century liberalism that the state is more than an instrument or piece of machinery that the democratic state in particular must aim at becoming a community, not only of law, but of fellowship. Underlying the modern development of the welfare state, is the notion that society must have no outcasts, that its inequalities must be reduced, and that the basic amenities of civilized life must be accessible to all".²⁷ His end of the state as the all round development of the personality of its citizens has been accepted by all advocates of the democratic doctrines.

The modern world is increasingly realising the truth of Aristotelian end of the state. The modern states do not confine their functions to the satisfaction of material needs of human existence. Like Aristotle, they also have a much higher end to serve—the promotion of virtue and justice. This is a matter for which the political genius of the Stagirite deserves all praise and admiration.

His classification of states, with some modification here and there, was followed by every political philosopher who touched upon this problem. It is, however, not a very comprehensive classification and does not make allowance for mixed constitutions.

CHAPTER 16

ARISTOTLE'S THEORY OF JUSTICE

"Justice is relative to persons; and a just distribution is one in which the relative values of the things given correspond to those of the persons receiving."

—*Aristotle.*

1. *Introductory* : Plato, the profound and learned teacher of Aristotle, regarded justice as the very life and breath of the state. He recommended justice as a remedy against amateurish meddlingness and political selfishness, which had characterised the life of Athenian citizens in his own times. Aristotle also believes, like his master, that justice is the very essence of the state, and that no polity can endure for a long time unless it is founded on a right scheme of justice. It is with this consideration in view that Aristotle proceeds to set forth his theory of justice. The theory, however, was not developed by him in isolation. The Republic of Plato serves as a great guide. But Aristotle does not want to travel the beaten track. He travels through fresh woods and pastures *délecté*. But it does not mean that by this new approach and attitude he shows a disregard and disrespect to his teacher who loved him so dearly and considered him as the intellect of his school. He has his own convictions about things which impel him to speak the truth howsoever bitter. "He sees the root of endless mysticism and scholarly nonsense

in the Platonic realism : and he attacks it with all the vigour of a first polemic".¹ "As Brutus loved not Caesar less but Rome more, so Aristotle says, Amicus Plato, sed magis amica veritas—"Dear is Plato, but dearer still is truth."² As in respect of other theories so also in respect of the theory of justice, Aristotle does not hesitate to speak the truth. He removes the deficiency and imperfection of the Platonic theory, and attaches to it a new force of reality and concreteness by setting forth a new one.

2. *Justice as a Complete Virtue* : Aristotle regards justice as a complete virtue. In other words, a completely just man, according to Aristotle, was completely virtuous. Plato also regarded justice as the very essence of morality. To him also the 'just' and the 'moralist' are convertible terms. To Plato, justice was the name of that kind of life where every individual does his own work for which he is fitted by the very elements of his soul. For Aristotle, the end of the state is the promotion of good life. The realization of this end depends on the realization of a life of common action. The life of common action may become a possibility, provided the citizens of a state act in conformity to the laws of that state. That is to say, they should develop in themselves that great quality which is known as the law-abidingness. A just and law-abiding citizen, according to Aristotle, is one and the same. And since law-abidingness is a complete virtue, in that sense, justice is also a complete virtue. Without justice and friendship a life of common action is impossible to realise. Justice, therefore, to Aristotle is the name of that great moral virtue and excellence of character which is so essential for dealing with social and public relations. This has been called by Aristotle as complete justice.

3. *Particular Justice* : The particular justice of Aristotle is based on the conception of the state as an association of equals. As a member of this association (1) he has his rights in relation to the whole. (2) He has also his rights as against each. To provide him a system of rights in relation to the whole is the business of the distributive justice. To protect these rights against the infringement by others, is the work of the corrective justice.

4. *Distributive Justice* : Aristotle's distributive justice is the name of that principle of distribution by which goods, services, honour and offices are distributed among the citizens of the state. Since

1. William James, quoted by W. Durand, *The Story of the Philosophy*, 4th edition (1954), p. 60.

2. Quoted by W. Durand.

every citizen of the state makes a contribution to the realization of common life, it is necessary that he must get in proportion to the amount and kind of contribution that he makes to the life of the state. Different men make different contributions and hence they put forward their different claims for share in the distribution of offices and honours. "The rich claim because they have a great share in the land, and land is the common element of the state. They also think that they are generally more trustworthy in contracts".³ "The free claim under the same title as the noble; for they are nearly akin. And the nobles are citizens in a truer sense than the ignoble, since good birth is always valued in a man's own home country".⁴ These persons of nobility have claims because they spring from better ancestors who are likely to be better men, because nobility is excellence of race.⁵ Virtue, too, may be said to have a claim, because justice has been acknowledged as a social virtue, and it implies all others.⁶ Again, the many have their claim against the few, because when taken collectively, and compared with the few, they are stronger, richer, and better.⁷ Under these circumstances it becomes very difficult to decide as to which claims are to be recognized and which to be ignored. Every state fixes its own standard of measuring the worth and due of a man. The due of a man will depend on his contribution that he makes to the life of the community for making it happy and self-sufficient. But the question arises as to how this contribution is to be measured? A democratic state will suggest that offices, honours and other rewards should be distributed in equal shares to the citizens of the state. That is to say, distributive justice in democracy insists on absolute equality. An oligarchic state will suggest that wealth should be regarded as the right standard of measurement for the distribution of offices, rewards and honours, while an Aristocratic state insists on virtue. Distributive justice in these states insists respectively on proportionate equality based on wealth and on virtue.

These are, thus, the various conflicting claims to power. 'Now what is just of right is to be interpreted in the sense of what is equal'; and that which is right in the sense of being equal is to be considered with reference to the advantage of the state, and the common good

3. *Politics*, Book III, 13, p. 127.

4. *Ibid.*, Book III, 13, p. 127.

5. *Ibid.*, Book III, 13, p. 127.

6. *Ibid.*, Book III, 13, p. 127.

7. *Ibid.*, Book III, 13, pp. 127—28.

of the citizens".⁸ And a citizen, according to Aristotle, "is one who shares in governing and being governed. He differs under different forms of government, but in the best state he is one who is able and willing to be governed and to govern with a view to the life of virtue".⁹ Aristotle says that a virtuous state will discard both the democratic and oligarchic criteria and will assign honours, offices and power to virtue. The most virtuous, according to him, will have the most power. In this connection, he says that "justice will not be done to the superior, if he is reckoned only as the equal of those who are so far inferior to him in virtue and in political capacity".¹⁰ Such a virtuous man is regarded by Aristotle as a 'god among men'.¹¹ and hence he suggests that "legislation is necessarily concerned only with those who are equal in birth and in power, and that for men of pre-eminent virtue there is no law—they are themselves a law".¹² The men of virtue are so highly valued by Aristotle that he considers it ridiculous to make laws for them. But if any one tries to do it, Aristotle says, they will probably retort what, in the fable of Antisthenes, the lions said to the hares 'where are your claws' ? when in the council of the beasts the latter began haranguing and claiming equality for all.¹³

But it does not mean in any way that offices and honours in the state will be given only to the fit and virtuous few only to the neglect of the many. Since the many, collectively, make a very important contribution to the life of the state, they therefore should be awarded proportionately. The many are valuable because at the time of deliberating and electing magistrates they give an account of their capacities. On certain very important occasions, the demos have been seen exhibiting an extra ordinary amount of common sense Aristotle says that since the wealthy, the virtuous and the free-born make contributions in their own way for enriching the life of the community, therefore, every person will be rewarded with honours and offices according to his worth or desert. Aristotelian distributive justice is, thus, the other name of proportionate equality. "It recognizes and preserves distinction between the worthy and non-worthy. It counters equality of the unequal and ensures that a

8. *Ibid.*, Book III, 13, p. 129.

9. *Ibid.*, Book III, 13, p. 129.

10. *Ibid.*, Book III, 13, p. 129.

11. *Ibid.*, Book III, 13, p. 129.

12. *Ibid.*, Book III, 13, p. 130.

13. *Ibid.*, Book III, 13, p. 130.

man's rights, duties and rewards should correspond to his merit and social contribution". Justice in the state therefore, is relative and not absolute. It is only in an ideal state that justice becomes absolute and is identified with absolute virtue.

5. *Corrective Justice* : The second branch of particular justice is corrective justice. We have already seen that through the distributive justice a certain system of rights is created which establishes a sort of proportionate equality in the state. It is the business of the corrective justice to see to it that the proportionate equality so established may not be disturbed. Aristotle has illustrated his point of view in this connection by giving a very simple example. He says that a buyer, who goes to the market and purchases a commodity from a seller but does not pay the price of the commodity, disturbs proportionate equality ; because in doing so he denies the seller his right to receive the cost of his commodity, and keeps something with him which he ought not to have kept. Corrective justice, in this way, prevents an individual from making encroachment upon the rights of his fellows. "It relates to voluntary and commercial transactions like hire, sale and furnishing of security etc. and with involuntary actions involving aggression on life, property, honour and freedom". Thus the particular justice, of which the distributive justice and corrective justice are the parts, may be defined in the light of the above discussion as "the quality of an association of equals, which, on the one hand, awards to its members, according to the amount of their contribution, the offices and other rewards it has to bestow ; and, on the other hand, prevents encroachment by one member upon the sphere of another. In a word, it both guarantees the province of each individual against every other, and secures to each individual his proper position as a part of the whole".

6. *Aristotle's Justice versus Plato's Justice* : Aristotle's and Plato's justice, in fact, are complementary, each being strong where the other was weak. They differ in many fundamental respects from each other. Firstly, Aristotelian justice lays emphasis on a system of rights, while Platonic justice attaches more importance to duties. One is a teacher of rights but the other is a preacher of duties. The Aristotelian justice is based, as it were, on the principle "every one should have his own". The Platonic justice, on the contrary, is based on the principle "every one should do his own". The former, therefore, is a system of rights but the latter is a system of duties. Secondly, Aristotle's justice is legal in character. The legal side of it is represented by his corrective justice, the Platonic justice, on the

other hand, is essentially moral and philosophical. It does not provide a system to deal with the clash of interests. It does not issue forth in any juridical organization. It is based on idealism and, hence, it is far removed from realities. Thirdly, Aristotelian justice establishes equality between different members of the state, while the Platonic justice establishes a hierarchy of classes. According to this justice, citizens are divided into three classes, each of which performs a particular set of functions. Every citizen is bound to do his duties for which he is called as an organ of the state. Lastly, the Aristotelian justice is based on a classification of complete and particular justice. Plato does not attempt any such classification. His justice rests on three different elements of the human soul—reason, spirit and appetite.

But in spite of this difference, there is ground of common agreement also. The aim of both the philosophers is to find out a principle of capacity through which unity, harmony, virtue and happiness can be established in the society. The purpose of both is to give every citizen his due in accordance with his capacity or nature. Thus, justice in the case of both can be regarded as distributive in character. "In both cases, justice is ultimately functional and teleological, and is not merely a legal, but also a moral principle.

7. *Aristotle's Justice versus Modern Justice*: Both Aristotelian and modern justice lay emphasis on the rights and duties of citizens. But the difference between the two is that the latter attempts a classification of rights—social, political, economic, legal and fundamental, and attaches a corresponding duty only in relation to that right. The former, on the other hand, does not attempt any such classification; and the conception of duties, which citizens are required to perform in the shape of contributions, according to this justice, is absolutely of a different type. Again, both Aristotle's and modern justice are founded on equality. But the concept of equality—social, political and legal, which the modern justice contemplates, was very much beyond the purview of Aristotle. Aristotle's justice in the state establishes that proportionate equality, where a citizen is rewarded according to his capacity or ability. The modern justice endeavours to pay its citizens not only according to their capacity or ability but also according to their needs. It is here that we rise to the higher and truer conception of justice. Both Aristotle's and modern justice issue forth in juridical organization. The aim of both is the realization of complete justice. The former is realized when it is completely identified with virtue and is realizable only in

an ideal commonwealth, the latter is achieved in its completeness when justice in all fields—social, political, economic and legal, is realized. According to the modern concept, the ideal commonwealth is realized only after the realization of this complete justice. Both the conceptions of justice are thus legal and as well as ethical.

CHAPTER 17

THEORY OF EDUCATION

"Virtue and happiness are the main aims of an ideal education. Mankind do not acquire or preserve virtue by the help of external goods but external goods by the help of virtue, and that happiness, whether consisting in pleasure or virtue, or both, is more often found with those who are most highly cultivated in their mind and in their character".

—Aristotle.

1. *Introductory* : No government can afford to ignore the character of its citizens. The success of a government is not to be judged by its efficient administration, but by the type of character that it produces among its citizens. The best life, both for individuals and states, is the life of virtue which is so essential for the performance of good actions. Education is the only agency through which a life of nobility, discipline and high character can be acquired. It is only through this agency that the triumph of the forces of goodness, beauty and justice can be secured over the forces of evil, ignorance and injustice. Aristotle, like Plato, does not ignore this hard fact and devotes sufficient space in his Book VII and VIII to the discussion of his theory of education.

2. *Purpose of Education* : Aristotle does not make any distinction between the life of the state and its citizens. Since the

aim is to create the best type of polity, the purpose of education, therefore, should be to produce the best type of citizens. "No one will doubt that the legislator should direct his attention above all to the education of youth, or that the neglect of education does harm to states. The citizen should be moulded to suit the form of government under which he lives. For each government has a peculiar character which originally formed and which continues to preserve it. The character of democracy, and the character of oligarchy creates oligarchy, and always the better the character, the better the government".¹ With this end in view, the education becomes the handmaid of the state and its purpose becomes essentially political in character.

According to Aristotle the purpose of education is not only political, it has also a social purpose. "A social instinct is implanted in all men by nature, and yet he who first founded the state was the greatest of benefactors".² The state provides him with a system of education which helps its citizens in the fulfilment of their social and political nature. Man is a harmonious combination of both the god and the devil. The god in man is represented by reason and the devil by refractory desires. "For man, when perfected, is the best of animals, but when separated from law and justice, he is the worst of all ; since armed injustice is the more dangerous and he is equipped at birth with the arms of intelligence and with moral qualities which he may use for the worst ends".³ The uneducated person is all a bundle of desires. He can never secure the victory of reason over his desires, and as such "he is the most unholy and the most savage of animals, and the most full of lust and gluttony".⁴ Education can enable him to make a proper use of his powers. Through education he can develop that rationality which is the very differentia of man. Through education he learns to differentiate between right and wrong, justice and injustice. "But justice is the bond of men in states, and the administration of justice, which is the determination of what is just, is the very principle, of order in a political society".⁵

The purpose of education is also to provide training in art of citizenship. A citizen according to Aristotle is one who knows how

1. Aristotle, *Politics*, Book VIII, 1-2, Jowett's translation, p. 300

2. *Ibid.*, Book I, 15, p. 29.

3. *Ibid.*, Book I, 15-16, p. 29.

4. *Ibid.*, Book I, 16, p. 30.

5. *Ibid.*, Book I, 1-2, p. 30.

to rule and be ruled⁶, and one who actively participates in the affairs of the state. It is the business of education to prepare a good ruler and an obedient subject. In this connection, Aristotle has stated that "if some men excelled others in the same degree in which gods and heroes are supposed to excel mankind in general, having in the first place a great advantage even in their bodies, and secondly in their minds, so that the superiority of the governors over their subjects was patent and undisputed, it would clearly be better that, once for all, the one class should rule and the others serve. But since this is unattainable, and kings have no marked superiority over their subjects, such as Scylax affirms to be found among the Indians, it is obviously necessary on many grounds that all the citizens alike should take their turn of governing and being governed".⁷ For this reason both rulers and subjects should be trained alike. But since the governors and governed are identical from one point of view and different from another point of view, their education, therefore, should be the same and also different.⁸ "For he who would learn to command well must, as men say, first of all learn to obey".⁹ Both these are the opposite aims which should be blended together and which can be done only through the scheme of education. "But since we say that the virtue of the citizen and ruler is the same as that of the good man, and that the same person must first be a subject and then a ruler, the legislator has to see that they become good men".¹⁰ Education is the only media through which this aim can be fully realised.

The purpose of education, again, is the establishment of peace and the enjoyment of leisure. Its aim is not the acquisition of aggressive military virtue as was practised by the Lacedaemonians, who, by a training in hardship had gained great power.¹¹ But they are not a happy people now that their empire has passed away, nor was their legislator right.... Neither is a city to be deemed happy or a legislator to be praised because he trains his citizens to conquer and obtain dominion over their neighbours, for there is great evil in this.... No such principle and no law having this object is either manlike or useful or right".¹² Aristotle does not recommend that

6. *Ibid.*, Book VII, 6, p. 287.

7. *Ibid.*, Book VII, 2-3, p. 286.

8. *Ibid.*, Book VII, 6, p. 287.

9. *Ibid.*, Book VII, 6, p. 287.

10. *Ibid.*, Book VII, 8, pp. 287-88.

11. *Ibid.*, Book VII, 17, p. 289.

12. *Ibid.*, Book VII, 18-21, pp. 289-90.

men should "study war with a view to the enslavement of those who do not deserve to be enslaved ; but first of all they should provide against their own enslavement, and in the second place obtain empire for the good of the governed, and not for the sake of exercising a general despotism".¹³ He suggests that "the legislator should direct all his military and other measures to the provision of leisure and the establishment of peace. For most of these military states are safe only while they are at war, but fall when they have acquired their empire ; like unused iron they lose their edge in time of peace. And for this the legislator is to blame, he never having taught them how to lead the life of peace".¹⁴ According to Aristotle, the end of individuals and that of state is the same. Therefore, the end of the best man and of the best state must also be the same. It is therefore clear that there ought to exist in both of them the virtue of leisure. But for having leisure many necessities of life have to be supplied, and after such a supply, it is very necessary to create intellectual virtue among citizens which can be possible only through the instrumentality of education. It is only through education that they can make the fullest use and enjoyment of their leisure.

The purpose of education in an ideal state is to make the life of citizens virtuous and happy. Since the aim of the ideal state is also the same, without education, the aim of the ideal state will always remain unrealised. The state is a manifold diversity. The business of education is to train the citizens in such a way, so that they may be able to create unity in diversity. "A state is a union without unification, an agreement within differences. It is the task of education to see that individuality of man does not pervert into individualism, and unity and diversity are fairly balanced. In other words, education must teach man the virtue of the golden mean, so that he may avoid the extreme doctrines and extreme practices, may learn what is toleration and friendship, may practise the principle of compromise and fellowship, and, above all, may, while holding his private property, share its enjoyment with others of his kind".

Education, thus, in the case of Aristotle, serves a manifold purpose. It makes him a noble, virtuous and happy citizen as to establish an ideal commonwealth in which unity is maintained, in spite of a great diversity. It harmonises him in the spirit of the constitution which enables him to acquire and practise law-abidingness

13. *Ibid.*, Book VII, 22, p. 290.

14. *Ibid.*, Book VII. 22, p. 290.

It is a process of training in habit and character which helps him to secure the supremacy of reason, which leads him ultimately to the attainment of that highest goal of human existence which is the rational self-determination.

3. *Basic Principles of Education*: According to Aristotle there are three things which make men good and virtuous. They are nature, habit and reason. To produce the best and balanced type of personality, it is necessary that all these three must be kept in harmony with each other. Education is the only means for the realization of this end. But while taking up the education of the youth the question arises, "whether the training of early life is to be that of reason or habit, for these two must accord and when in accord they will then form the best of harmonies".¹⁵ Aristotle is quite clear on this question. He says that "in men reason and mind are the end towards which nature strives, so that the generation and moral discipline of the citizens ought to be ordered with a view to them".¹⁶ He means to say that education ultimately is to be directed to the intellectual maturity and flowering of the soul. But since body is prior in order of generation to the soul, and irrational is prior to the rational, therefore the education of the body must precede that of the soul. The irrational side of human personality is represented by anger, will, desire and appetite which are implanted in children from their very birth. The rational side of life is represented by reason which comes with age and experience. Therefore, in any intelligent and logical scheme of education, the training of the appetitive part should always precede the training of the soul. Like Plato's, Aristotle's theory of education is also grounded in psychology. According to him, no theory of education is worth the name if it does not rest on a psychological basis. It must take into account the different stages of mental development. These stages of mental development according to Aristotle are three, namely, (1) the stage of natural disposition, (2) the stage of habitual temperament, and (3) the stage of rational self-determination. So far as the stage of natural disposition is concerned, Aristotle thinks that it is beyond the power of education to do anything with regard to that stage of life. It is the stage which represents the period when the child is not yet born. Aristotle, however, aims at securing an ideal disposition, and he says that the object may be

15. *Ibid.*, Book VII, 7, p. 292.

16. *Ibid.*, Book VII, 8, p. 292.

secured by paying attention to the system of marriage in the state. The state should not allow either early or late marriages. According to him "women should marry when they are about 18 years of age, and men at seven-and-thirty".¹⁷ At this stage, they are in the prime of their lives and the children who will be born through such a control will be quite healthy. And since the capacity of the couple to bear and beget children will not be disproportionate to make family life unhappy and corrupt, consequently the children born after such marriages are bound to develop an ideal disposition.

The second stage of mental development is the stage of habitual temperament. It is the age of youth. It is that period of life when habits are formed and the youth is swept by a torrent of desires. Education at this stage should be so adjusted so that the youths may have the opportunities to develop their proper habits and they may allow themselves to be dominated only by rational desires and not any and every desire. This will help the youths later on in the realization of rational self-determination which is the third stage of mental development. The education of this stage, according to Aristotle, should be such so that the citizens of the state may rationalise their habits, develop fully their mental faculties and secure and establish within themselves the supremacy of reason which is the very aim of education. It is at this stage that the citizen is fully prepared to shoulder the responsibilities of life and citizenship.

4. *Aristotle's scheme of education*: Aristotle has divided his scheme of education into three parts—(a) the cradle stage which covers the education of first seven years, (b) the primary stage which lasts from 7 to 14 years, and (c) the secondary stage beginning from 14 right up to 21 years.

(a) *The Cradle Stage*: At the cradle stage proper attention should be paid to the diet of children, which should contain most of milk and less of wine. Such a diet is most suited to human beings. It keeps them always healthy and free from all sorts of diseases. To prevent them from sluggish habits the children at the early age should be subjected to some bodily motions, because, at this stage, it is very useful to do so.¹⁸ But the bodies of children should not be given hard exercises. This is necessary to preserve their tender limbs from distortion and check their stunted growth. From the earliest years the children should be accustomed to the cold. This is an excellent

17. *Ibid.*, Book VII, 16, 9, p. 294.

18. *Ibid.*, Book VII, 17, 2, p. 296.

practice because it greatly conduces to health, and hardens them for military service.¹⁹ Aristotle condemns the practice among the barbarians who plunge their children at birth into a cold stream. He also does not like the practice of the Celts who clothe their children in a light wrapper only. He says that, no doubt, "human nature should be early habituated to endure all which by habit it can be made to endure; but the process must be gradual".²⁰

At this stage no demand should be made upon the children for doing any labour or carrying any study because it will prove detrimental to their growth. To prevent their limbs from being inactive, they should be provided with some sort of amusement which should not be vulgar or riotous.²¹ The Directors of Education should be very careful to see that no vulgar tales or stories are presented to them. The sports of the children should be designed to prepare their way for the business of later life. The sports mostly should be the part imitations of the occupations which the children will pursue later in their lives. Besides, the other duties of the Directors of Education are to see to it that they are left as little as possible with slaves. They must live at home until they are seven years old. All that is mean and low should be banished from their sight or hearing. The children should be prevented from using or listening to any indecent speech because the "light utterance of shameful words is akin to shameless actions".²² Along with indecent speeches, indecent pictures should also be banished. "Let the rulers take care that there be no image or picture representing unseemly actions, except in the temples of those Gods at whose festivals the law permits even ribaldry and whom the law also permits to be worshipped by persons of mature age on behalf of themselves their children, and their wives. But the legislator should not allow youth to be hearers of satirical verses or spectators of comedy until they are of an age to sit at the public tables and to drink strong wine; by that time education will have armed them against the evil influences of such representations".²³ But when the five years have passed away, during the two following years they must look on at the pursuits which they are to learn hereafter.

19. *Ibid.*, Book VII, 17, 2-3, p. 296.

20. *Ibid.*, Book VII, 17, 3, p. 297.

21. *Ibid.*, Book VII, 17, 4, p. 297.

22. *Ibid.*, Book VII, 17, 8, p. 298.

23. *Ibid.*, Book VII, 17, 10-11, p. 298

(b) *The Primary Stage*: Now it is quite clear that in education habit must go before reason, and the body before the mind. The boys, therefore, should be handed over to the trainer, who creates in them the proper habit of body and to the wrestling master, who teaches them their exercises. The light gymnastic exercises are thought useful at this stage because they infuse courage among the boys. The boys at this stage should also be helped to learn reading, writing and drawing. Aristotle calls the customary branches of education which he regards are useful for the purposes of life in a variety of ways.²⁴ Reading and writing are useful because, through them, many other sorts of knowledge are required. The study of drawing is also extremely useful for our boys, because "it makes them judges of the beauty of the human forms".²⁵ It develops their aesthetic sense and makes them the lover of beauty. Music also forms a very important part of education at this stage. Music is considered by Aristotle as one of the very fine and noble arts which is essential for relaxation and providing necessary comfort to the tense conditions of human soul. It is again necessary for the best utilization of leisure. In this connection Aristotle himself writes in his *Politics*, "Our fathers admitted music into education, not on the ground either of its necessity or utility, for it is not necessary, nor indeed useful in the same manner as reading and writing, which are useful in money-making, in the management of a household, in the acquisition of knowledge and in political life, nor, like drawing, useful for a more correct judgment of the works of artists, nor again like gymnastic, which gives health and strength; for neither of these is to be gained from music. There remains, then, the use of music for intellectual enjoyment in leisure, which appears to have been the reason of its introduction, this being one of the way in which it is thought that a free man should pass his leisure."²⁶ In a similar strain Odysseus says at one place that there is no better way of passing life than when "men's hearts are merry and the banqueters in the hall, sitting in order, hear the voice of the minstrel". Music is to be admitted into the scheme of education not only for the sake of intellectual enjoyment of leisure, but also to have good influence over the character and the soul. Aristotle in this connection has particularly mentioned the songs of Olympus

24. *Ibid.*, Book VIII, 3, p. 302.

25. *Ibid.*, Book VIII, 12, p. 304.

26. *Ibid.*, Book VIII, 3, 7, p. 303.

which exercise such an influence. They "inspire enthusiasm, and enthusiasm is an emotion of the ethical part of the soul.... Music is a pleasure, and virtue consists in rejoicing and loving and hating aright. There is clearly nothing which we are so much concerned to acquire and to cultivate as the power of forming right judgment, and of taking delight in good dispositions and noble actions".²⁷ This stage covers a period of 7 years education which lasts from 7 to 14 years.

(c) *The Secondary Stage*: In the Aristotelian scheme of education the secondary stage lasts from 14 to 21. At this stage the mind of the youths should be prepared for receiving intellectual training. Only a best citizen can live in the best polity. The citizens, therefore, should be trained to suit the form of government under which they are to live. That is why, according to Aristotle, one of the very important aims of education was to instruct the young in the spirit of the constitution of the state. From 14 to 17, the customary branches of education i.e., reading, writing, drawing, music, arithmetic and geometry should be studied with all care and seriousness. For a period of 4 years, i.e., from 17 to 21, the youths should be given military training. After the completion of this training the youths should be left to follow their vocations and to fashion their lives as good and noble citizens of the state.

5 *State-controlled System of Education*: Aristotle, like Plato, insists that education should be organized and controlled by the agency of the state. He also insists like his master that education should be one and the same for every citizen of the state. In Book VII of his *Politics*, Aristotle has stated that "since the whole city has one end, it is manifest that education should be one and the same for all, and that it should be public, and not private—not as at present, when everyone looks after his own children separately, and gives them separate instruction of the sort which he thinks best; the training in things which are of common interest should be the same for all".²⁸ Prof. Dunning very aptly describes the Aristotelian position when he says, "The ultimate function of the state is pedagogic. For the perfection of the community depends upon the perfection of its constituent members, and the perfection of the latter can be achieved only through the cultivation of moral and intellectual excellence. Hence a system of uniform, compulsory, public education

27. *Ibid.*, Book VIII, 5, 16-17, p. 309.

28. *Ibid.*, Book VII I, 3-4. p. 300.

is the first essential of the best state, and the administration of such a system is the most important function of government".²⁹

6. *Appreciation and Criticism* : Aristotle's theory of education aims at the harmonious development of personality. It educates all the three—body, mind and soul. According to Prof. W. A. Dunning, "It aims at mental culture rather than practical utility, lays due stress upon the physical side of the training, and attaches to music a moral significance and a character-making influence that are quite incomprehensible to the modern mind".³⁰ The most important part of this theory of education is the governmental supervision of life from its very inception providing for a rigid regulation of the times and conditions of marriage and procreation and of the care of the young.³¹ In this way "will be insured the ideal basis for the later training, the finished product of which will be matured manhood of physical grace and beauty, combined with a moral and intellectual fitness for the lofty thought and noble action that are worthy of the free man's leisure".³² Another very important part of his theory of education is that where he "stresses the importance of influencing children by the right kind of stories, pictures and plays".³³ Aristotle rightly "believes that education should first be directed to the cultivation of the body, secondly to the control of the appetites, i.e., character-training, and finally to the development of the mind. The latter is the ultimate end to which the earlier stages of education are means".³⁴

The educational theory of Aristotle is not free from defects. His scheme of education ends very abruptly and even at the age of twenty-one the young is not very much intellectually developed. Thus, it is incomplete and inadequate for the purposes of ideal citizenship and intellectual development. Another very great defect of his theory is, that his education is meant only for the citizen body of the state. In laying such a condition he is "guilty of creating a chasm between the citizen and non-citizen bodies in the state".

29. W. A. Dunning, *Political Theories—Ancient and Medieval*, Vol. 1, p. 83.

30. *Ibid.*, p. 84.

31. *Ibid.*, p. 84.

32. *Ibid.*, p. 84.

33. A. R. M. Murray, *Introduction to Political Philosophy*, 2nd edition, 1959, p. 66.

34. *Ibid.*, p. 66.

ARISTOTLE'S THEORY OF COMMUNISM— “HIS VIEWS ON FAMILY AND PROPERTY”

Aristotle's theory of communism was a slap on the face of Plato's Republic in which he enunciated his theory for the guardian classes. As a great protagonist of private property he regarded it as a natural institution and an essential attribute of the family which was a major pillar of the states.

—*Author.*

(A) ARISTOTLE'S CONCEPTION OF FAMILY

1. *Introductory*: Family is a very important institution of social life. It serves as a great preventive check on the activities of its members, and thus protects them against anarchy and irresponsibility. It teaches them the lesson of adaptation and adjustment, which are so essential for survival in this world. It enables its members to learn all social virtues—love, discipline, obedience and self-sacrifice. Mazanni has rightly observed that the first lesson of citizenship is learnt between the mother's kiss and father's caress. It affords them all opportunities for the development of personality. It inspires confidence in them and stimulates them to take interest in their work. Without it man's life will dwindle and decay and will become worse than beasts. The institution of the family, which is so dear to us, was regarded by Plato as a curse. He subjected it to a vehement

condemnation and criticism and ultimately recommended for its abolition.

2. *Plato's Indignation against the Family*: Plato regarded the institution of the family as a sacred curse. It makes him narrow and selfish in his outlook. Its coming into existence in society introduces the question of 'mine' and 'thine' which are the challenge to its very foundation. It makes an individual essentially materialistic and compels him to forget about that life which is the life of the soul. It leads to the frustration of personality both on the part of husband and wife. Dr. E. Barker, in his characteristic fashion, has very nicely put forward the stand of Plato. Every Englishman's house is a castle we say. Pull down the walls Plato would reply; for they at best give place to a narrow family affection and harbour at the most selfish instinct and stunted capacities. It is condemned again as a place of dwarfed powers where the mind of the wife is wasted at the service of the tables. Pull down the walls and let the breeze of common life blow over the place where they have been. For the soldiers and administrators there is but one home and which is the state. Had they separate home the result would have been separation from their subjects whom they protect and govern. The family actually leads to the frittering of energies which might have been spent on nobler things. The wife is employed as a nurse and a general drudge. The husband is flattering and borrowing, toiling and moiling to make an income for the upkeep of his house and the education of his children. Occupied with these necessities and the drudgery of serving tables neither men nor women will have time to be what they might be or to take their place in the state. Surrounded and haunted with these necessities they cannot heed the counsels of perfection. Struggling for a mere life they cannot think of the real life which is the life of the spirit.

3. *Aristotle's criticism of Platonic stand*: Aristotle had no patience with the idea of abolition of family even in the case of guardian classes. What Plato wanted through the abolition of the family was to achieve absolute unity in the state. Aristotle lashes out at the very idea of absolute unity. Absolute unity, as he declares, is an impossibility. He says that an absolute unitarian city which consists of one man only can, perhaps, achieve the goal. But he soon hastens to add and quotes the authority of Phaedrus that even in that city the absolute unity cannot be realized. The very man who constitutes the city is divided into two selves—the lower self and the higher self, and between these two selves there is always

a conflict either for the noble or for the base. Plato's conception of Absolute Unity, therefore, was false.¹

Again, after attaining absolute unity, the state can no longer be a state because the very nature of the state is to be a plurality.² In tending to greater and greater unity, the state, in fact, becomes a family, and in the continuation of this process the family becomes an individual. We, therefore, ought not to attain this greatest unity because in attaining such a unity, we would be carving out the very destruction of the state.³

Again, a state is composed not of several but of unlike members whose dissimilarity makes possible that mutual exchange of services for which all associations exist.⁴ It is the different capacities of men that draw them together in society. Differentiation is, therefore, the necessary basis of any communion.⁵ It is not like a military alliance, of which the usefulness depends upon its quantity even where there is no difference in quality. Aristotle also aims at unity but he wants to see unity in diversity.⁶

Again, the end of the state cannot be unity. True end is to be found in the full satisfaction of individual wants. Self-sufficiency, therefore, is the true end of the state. But if "self-sufficiency is to be desired, the lesser degree of unity is more desirable than the greater".⁷

Again, if it is to be supposed for the time being that it were best for the community to have the greatest degree of unity, this unity is by no means indicated by the fact of all men saying 'mine' and 'not mine' at the same instant of time.⁸ "There is an obvious fallacy in the term 'all', it is ambiguous and in argument becomes a source of logical puzzles. That all persons call the same thing mine in the sense in which each does so may be a fine thing, but it is impracticable".⁹ "And there is another objection to the proposal. For that which is common to the greatest number has the least care bestowed upon it. Every one thinks chiefly of his own, hardly at all

1. *Politics*, Book II, 2, 2, p. 55.

2. *Ibid.*, Book II, 2, 2, p. 55.

3. *Ibid.*, Book II, 2, 2, p. 55.

4. *Ibid.*, Book II, 2, 3, p. 55.

5. *Ibid.*, Book II, 2, 3, p. 55.

6. *Ibid.*, Book II, 2, 3, p. 55.

7. *Ibid.*, Book II, 11, 2, 8, p. 56.

8. *Ibid.*, Book II, 11, 3, p. 56.

9. *Ibid.*, Book II, 11, 3, 3, p. 56.

of the common interest : and only when he is himself concerned as an individual. For besides other considerations, everybody is more inclined to neglect the duty which he expects another to fulfil ; as in families many attendants are often less useful than a few. Each citizen will have a thousand sons who will not be his sons individually, but anybody will be equally the son of anybody, and will therefore be neglected by all alike".¹⁰ It is in this way that Aristotle condemns the Platonic conception of unity which was to be achieved by the abolition of family. To Aristotle, the family is the very foundation of the state and hence he gives a very splendid defence of the existence of this institution.

4. *Aristotle's Defence of the Family* : The state is regarded by Aristotle as an association of associations. Family is a very important association of the state. To Plato there appeared an antithesis between the family and the state. Aristotle has, very successfully, resolved this antithesis. To him both these institutions are inherent in human nature, and are the very manifestation of it. It is in this sense that the institution of the family is natural. But according to Aristotle, 'natural' and 'moral' are identical terms. And since family serves a great moral end, therefore, it is a natural institution which is necessary both for individuals and the state. But since family is natural, it is, therefore, a moral institution as well. But how family is a moral institution ? Aristotle offers very nice arguments to support his point of view. This defence is, therefore, rightly called as the moral justification of the family.

5. *Moral justification of the Family* : (a) Aristotle justifies the continuation of family on moral grounds. He considers it to be a very indispensable institution for the moral growth of children. It is the training ground of all those social virtues which go to make a good citizen and a good man. It makes him affectionate, obedient and tolerant. To abolish family is to deprive children of all these advantages. Its abolition will result in the neglect of children and, in this way, the very purpose for which the ideal state is constituted will be defeated.

(b) The family again serves a great moral purpose. The man is more naturally a husband than he is a citizen. The institution of the family is based on the doctrine of division of functions. In the family all—husband, wife and children—help each other to serve a common cause. This natural assistance, as Dr. Barker says, involves

10. *Ibid.*, Book II, II, 3, 4-5. p. 58.

a certain moral obligation on the part of each of its members. The family is not merely natural because it is based on natural instinct, it is moral association based on virtue in which either helps the other by example to pursue and realise the good.

(c) Again, the moral basis of the family is very obvious. It is capable of producing a wise and loving father, a good mother, disciplined and educated children, and a trained and obedient slave. In the absence of the family all these advantages will not be realised and hence Aristotle preserves it as a natural and necessary institution.

(B) ARISTOTLE'S CONCEPTION OF PROPERTY

1. *Introductory* : Property like family is a very old and important institution of social life. It is, in the real sense, the very originator of our society. Rousseau was perfectly justified when he said, "The man who after enclosing a piece of land said, 'this is mine' was the real founder of civil society". In spite of its great utility there has never been a unanimity among political thinkers about the usefulness of this institution. The great anarchist thinkers like Bakunin and Prince Kropotkin regarded it as something representing the primitive stage and the lower impulses of human life. Marx and Proudhon condemned private property as a hindrance for the realization of good life. It is to be noted here that the views of these philosophers were directed only against the institution of private property. Believers as they were in universal communism, they saw in the existence of private property those dangerous evils which prove to be destructive forces against social and economic progress. In the Lockean concept it comes to occupy a very high place. According to him the reason why men enter into civil society is the preservation of their property. He, thus, regarded it to be the very arch of the covenant. With Edmund Burke it becomes almost sacrosanct. The sole justification of this institution of private property to continue was that it had "existed time out of mind". "To interfere with it, to regulate it or to nationalise it will be the gravest of all wrongs". Burke, thus, suggests that private property should not be abolished on any account because it has survived for ages, and has proved its endurance. In his Republic the great Greek philosopher Plato expresses his wrath and distrust against the institution of private property.

2. *Plato's indignation against private property* : It is to be noted here that Plato was not an enemy of private property in

general. The workers, artisans and farmers in his Republic live in a system of private ownership and management of property. But the rulers of his ideal state own no means of production of any kind, and their only economic activity consists in consuming what they derive from the farming and working population as tribute, befitting an austere yet noble style of living. Plato, in fact, did not advocate any economic communism, but nevertheless he outlawed private property for the rulers as a possible menace to their sense of unity and their devotion to the state. He regarded it to be a great threat to the moral perfection of his rulers of the ideal state. It is in relation to the rulers of his ideal state that Plato condemned the institution of private property. He was convinced that if the guardians of the state have their private possessions, conflict will arise between their private interests and their public duty. In this connection, Plato writes at one place in the Republic that if the guardians of the ideal state "should come to possess land of their own and houses and money, they will give up their guardianship for the management of their farms and households and become tyrants at enmity with their fellow citizens instead of allies".¹¹ Plato does not want that the guardians of his state should have any riches with them because riches, according to him, is the prolific mother of dissension and litigation and dissension and litigation in turn destroy that corporate feeling which is the very basis of the state. He, thus, recommends for the guardians of his ideal state a life of poverty, asceticism and non-possession.

3. *Aristotle's objection to the Platonic stand*: Aristotle's views on property are developed in direct reference to Plato. He objects to the Platonic concept of community of property. He says that the question of common ownership "will give a world of trouble."¹² Quarrels will arise particularly when all "do not share equally in enjoyments and toils, those who labour much and get little will necessarily complain of those who labour little and receive or consume much".¹³ There is always a difficulty for men living together and having things in common and particularly their property.¹⁴ Aristotle, in this connection, cites the example of the partnership of fellow-travellers who generally fall out by the way and quarrel about any

11. *Republic*, III, 416.

12. Aristotle, *Politics*, Book II, II, 5, 3, p. 61.

13. *Ibid.*, Book II, II, 5, 3-4, p. 61.

14. *Ibid.*, Book II, II, 5, 4, p. 61.

trifle which turns up. Aristotle is perfectly justified in thinking that frequent contacts give rise to frequent conflicts and quarrels, and he rightly says that people are most liable to take offence at those with whom they frequently come into contact in daily life".¹⁵ These, according to Aristotle, are some of the disadvantages which proceed from the community of property of which Plato was an ardent advocate in the Republic. It is against this theory of community of property of Plato that Aristotle developed his own theory of private property and justified it on several grounds.

4. *Aristotle's justification of private Property*: Before giving his justification of private property, Aristotle was faced with three positions with regard to the possessions and use of property. The first was the common possession of property and its common use. The second was the common possession of property and its private use. The third was the private possession and its common use. It is the third alternative of having private property and making its common use that has been accepted and advocated by Aristotle. This acceptance and advocacy of Aristotle rest on many grounds. The first ground is that of incentive and progress. In this connection Aristotle says that as a general rule property should be private because "when every one has a distinct interest, men will not complain of one another, and they will make more progress, because every one will be attending to his own business".¹⁶ It is in this way that Aristotle "links the idea of self-interest with that of social progress through greater individual effort and competence".¹⁷ The other ground on which Aristotle justifies private property is the sense of pleasure. "How immeasurably greater, he says, "is the pleasure, when a man feels a thing to be his own; for the love of self is a feeling implanted by nature and not given in vain, although selfishness is rightly censured; this, however, is not the mere love of self, but the love of self in excess, like the miser's love of money; for all, or almost all, men love money, and other such objects in a measure".¹⁸ It should, however, be understood here that "Aristotle sharply distinguishes such love of property from selfishness and miserliness, and considers it rather from the viewpoint of self-respect and material self-realization".¹⁹

15. *Ibid.*, Book II, II, 5, 5, p. 62.

16. *Ibid.*, Book II, II, 5, 6, p. 62.

17. W. Ebenstein, *Introduction to Political Philosophy*, p. 32.

18. Aristotle, *Politics*, Book II, II, 5, 8-9, p. 62.

19. W. Ebenstein, *Introduction to Political Philosophy*, p. 32.

The third ground on which Aristotle justifies private property is the virtue of liberality. Aristotle considers liberality as an active virtue of civic life. He rightly thinks that under a system of common possession the virtues of liberality and generosity cannot be practised. "There is the greatest pleasure in doing a kindness or service to friends or guests or companions, which can only be rendered when a man has private property. . . . No one, when men have all things in common, will any longer set an example of liberality or do any liberal action; for liberality consists in the use which is made of property".²⁰

The fourth ground on which Aristotle justifies private property is its historical continuance. It has existed for such a long time and if it is so, "we should not disregard the experience of ages; in the multitude of years these things, if they were good, would certainly not have been unknown".²¹ This is, perhaps, the same ground on which Edmund Burke justified private property. According to Edmund Burke also the institution, of private property rests on customs, historical traditions and the experience of past generations. To abolish private property was to negate the very history of men. It is in this way that Edmund Burke expressed his deep respect for the wisdom of established institutions. But to Aristotle it is not sacred and untouchable by society and it does not remain high and dry above the rising tide of social forces.

But by this justification of private property it should not be construed to mean that Aristotle was not aware of the evils that result through a system of private property. But he contends that they "are due to a very different cause—the wickedness of human nature". Things, therefore, cannot be improved through a system of equality of property, but through the moral improvement of man. A system of education should train the "nobler sort of natures not to desire more, and to prevent the lower from getting more; that is to say, they must be kept down, but not ill treated". "What seems most important to Aristotle is not who owns property but how property is used, and that is an essentially moral question, not one of political economy".²²

5. *True Communism is spiritualistic and not materialistic:* It is to be clearly understood that Aristotle's justification of private property does not rest on materialism. True communism, according

20. Aristotle, *Politics*, Book II, 5, 9-10, p. 63.

21. *Ibid.*, Book II, 5, 16, p. 64.

22. W. Ebenstein, *op. cit.*, p. 33.

to him, is spiritualistic and not materialistic. Although private possession has been allowed, but its products are to be used in common. Private possession, therefore, in his case does not become a social or an economic evil. Private property is justified because it is natural. It is natural because it is moral. Commenting on this stand of Aristotle, Dr. E. Barker has rightly observed, "It is from his high sense of the meaning of property as a thing held in trust for virtue that Aristotle comes upon the supreme defence of private ownership".

6. *Aristotle's scheme of property in the 'Politics'*: Aristotle's scheme of property in the *Politics* resembles very closely with that of Plato as outlined in *The Laws*. Like Plato the whole land of the state is divided into equal lots. Each citizen will have his own lot allotted to him by the state. In order to maintain the equality of lots, Aristotle suggests that population should be kept stationary. Realising the impracticability of the idea, Aristotle, like the Pheidon of Corinth, recommends preventive checks to limit the growth of the population. He also suggests a system of inalienable lots. This according to him would prevent the concentration of land in fewer and fewer hands. Aristotle rightly feels that excessive desires and material ambitions will lead to the inequality of lots. For overcoming this evil, Aristotle recommends a healthy system of education which will naturally lead to the equalization of desires. If this is not done men will become completely "absorbed in getting wealth. . . . For as their enjoyment is in excess they seek an art which produces the excess of enjoyment; and if they are not able to supply their pleasures by the art of getting wealth, they try other acts, using in turn every faculty in a manner contrary to nature. The quality of courage, for example, is not intended to make wealth, but to inspire confidence; neither is this the aim of the general's or of the physician's art; but the one aims at victory and the other at health. Nevertheless, some men turn every quality or art into a means of getting wealth; this they conceive to be the end, and to the proportion of the end they think all things must contribute".

What Aristotle wants to emphasise is to have wealth in a limited degree. He recommends to avoid all extreme doctrines and suggests to follow the doctrine of the golden mean. He regards wealth as "a store of instruments to be used in household or in a state". "The essential thing about an instrument is that its dimensions are limited by the function for which it is intended. . . . If wealth is an instrument, then the art of acquiring wealth will be subject to the

same limitations and to acquire too much wealth, therefore, will be a gross error. The end to which wealth is an instrument is the 'good life', whether within the household or in the state. The art of acquiring wealth is in its proper condition only when it is subject to limitations, and aims at producing not the greatest amount of wealth, but the right amount". "This notion that there is a limit to the amount of wealth which it is right for a man to possess, and that the proper limit is fixed by the function to which it is instrumental, was inherited from Aristotle by the Middle Ages. It gave way to the Lockean doctrine, according to which the sole condition of the rightful ownership of wealth was that it should have been earned; granted that condition to have been fulfilled, there was no limit to the extent to which wealth might be rightfully increased".²³

23. M. B. Foster, *Masters of Political Thought*, Vol. I, p. 144.

CHAPTER 19 THE IDEAL OR THE BEST STATE OF ARISTOTLE

"In the natural order of things, those may be expected to lead the best life who are governed in the best manner. But the best is often unattainable, and therefore the true legislator and statesman ought to be acquainted, not only with that which is best in the abstract, but also with that which is best relatively to circumstances. We should therefore consider, not only what form of government is best, but also what is possible and what is easily attainable by all."

—*Aristotle.*

1. *Introductory*: In the pages of the Republic, Plato—the Divine, had contemplated a state, the specimen of which was simply laid up in heaven. While preparing the scheme of his ideal state, he completely forgot that he was attempting an impossible task, and his ideal was unrealizable in this world of mortality and imperfections. The whole kernel of his thought was directed to design a 'conceptual commonwealth' which was to conform with the absolute perfection of his dreams, because he saw human nature as 'infinitely plastic and infinitely perfectable'. Failing to realize the scheme of his ideal state, he proceeded to make a significant change in his thinking in 'The Laws'. Consequently we find that his ideal state of 'The Laws' is very much akin to reality. But even here the

idealism was not completely abandoned. Aristotle, realist as he was, saw human nature as "plastic only within the orbit of its inborn potency and perfectable only to the extent of its ability to build on things as they are". Like a true scientist, he does not attempt any impossible scheme in formulating his theory of his ideal state. His best state, therefore, is that which is Plato's second best state which, of course, is attainable and realizable by all mortals of this imperfect and refractory world.

2. *The Internal features of the Ideal State* : In the internal features of the ideal state, Aristotle discusses the question of the best constitution for his ideal state. But he is not merely concerned with what is best, but also with what is best attainable in a particular situation or circumstance. "The object is to discover the best form of government under which a city will be best governed".¹ The state, according to Aristotle, lives a life of complete virtue. Therefore the state must be ruled either by one or by few but who are virtuous. Aristotle argues that if a man of pre-eminent virtue be the monarch "all should joyfully obey such a ruler, according to what seems to be the order of nature". Monarchy is justified by Aristotle by another consideration also : that "a king is the resource of the better classes against the people", and that "the idea of a king is to be a protector of the rich against unjust treatment, of the people against insult and oppression". "Aristotle's deep sympathy for monarchy, as expressed in the *Politics* in so many pages, is to be understood in the light of his relations with the rising Macedonian monarchy. His father had been the royal physician at the Macedonian court, and Aristotle himself the tutor of Alexander".² In aristocracy also merit and virtue are the distinctive qualities which are considered in selecting rulers. The only difference between monarchy and aristocracy is that while in the former virtue is centered in one 'pre-eminent' man, while in the latter virtue is diffused among several men.

But since ideal conditions do not exist for an ideal state, one should think of the best attainable. In order to do this one should follow the doctrine of the golden mean in deciding between other constitutions. According to Aristotle that polity is certainly the best which avoids the political extremes. Political extremes, to him, were the very source of political evils. As for example, extreme wealth makes people arrogant and incapable to obey, and extreme

1. *Politics*, Book VII, Ch. 13, 4, p. 284.

2. W. Ebenstein, *Introduction to Political Philosophy*, p. 28.

poverty makes them slavish and incapable to command. If the state is divided into two classes, i.e., the very rich and the very poor, there cannot be any sense of friendship, harmony or unity and the best state cannot be realized. That state, therefore, is the best where the political power is vested in the middle class. Such a form of state Aristotle calls as polity or the constitutional government. Aristotle defines polity as a state where "the citizens at large administer for the common interest. It is a compromise between the two principles of freedom and wealth. It is an attempt to unite the freedom of the poor and the wealth of rich without giving either principle exclusive predominance". However, Aristotle does not abandon 'the ideal state monarchy' or aristocracy, that is, the rule of the best as an 'inspiration', but he realizes that it assumes a standard of virtue 'which is above ordinary persons'. In practice, therefore, constitutional government, based on limited suffrage, turns out to be "the best constitution for most states, and the best life for most men".

3. *External features of the ideal state* : After discussing the internal features of the state, Aristotle discusses the external features of his ideal state. Aristotle says that the first point which has to be considered in this connection is "what should be the conditions of the ideal or perfect state ; for the perfect state cannot exist without a due supply of the means of life. And therefore we must presuppose many purely imaginary conditions, but nothing impossible".³ In brief, the state shall be ideally constructed, but none of the assumptions shall exceed the bounds of possibility. "As the weaver or shipbuilder or any other artisan must have the material proper for his work, so the statesman or legislator must also have the materials suited to him".⁴ The first among the materials required by the statesman is population.

(a) *The population of the ideal state*—Discussing the size of the state, Aristotle says that the greatness of a state is not to be judged by its number but by its power.⁵ But even if we reckon the greatness of a state by its number, Aristotle suggests that we must not include everybody like slaves, sojourners and foreigners ; but we should include only those who are members of the state, and who form an essential part of it. The number of the latter is a proof of the

3. *Politics*, Book VII, Ch. 4, 2, p. 265.

4. *Ibid.*, Book VII, Ch. 4, 3, p. 265.

5. *Ibid.*, Book VII, Ch. 4, 5, p. 266.

greatness of a city.⁶ But a city which produces numerous artisans and comparatively few soldiers cannot be great, because a great city cannot be confused with a populous one. Good laws are impossible in an overpopulous state. A great multitude cannot be well governed. To introduce order into the multitude is the work of a divine power.⁷ If the population of the state is very small it cannot be self-sufficient; if it is very large, it does not remain a state but becomes a nation, and as such it is rendered incapable for constitutional government.⁸ The problem then is as to what should be the size of the state? Aristotle, unlike Plato, does not prescribe any definite number for his ideal state. The limit, he says, will be ascertained by experience. The size of the state should be such so that the citizens of a state may have personal knowledge of each other. "If the citizens of a state are to judge and distribute offices according to merit, they must know each other's characters; where they do not possess this knowledge, both the election to offices and the decision of lawsuits will go wrong".⁹ The state should be large enough as to be independent, yet so small that one general may command its forces. If the state is overpopulous, the foreigners and metics will readily acquire the right of citizenship and it will be too difficult to find them out. "The best limit of the population of the state is the largest number which suffices for the purposes of life and can be comprehended in a single view".¹⁰

(b) *The territory of the state*—Writing about the territory of the state, Aristotle says, that it should be such as to enable the state to lead a life of self-sufficiency. It should be productive of all kinds of fruits. It must be "the state which is all-producing, for to have all things and to want nothing is sufficiency".¹¹ In size and extent it should be such that its citizens may live temperately and liberally in the enjoyment of leisure.¹² The land and its people should be taken in at a single view, for a country which is easily seen can be easily protected.¹³

6. *Ibid.*, Book VII, Ch. 4, 6, p. 266.

7. *Ibid.*, Book VII, Ch. 4, 8, p. 266.

8. *Ibid.*, Book VII, Ch. 4, 11, p. 267.

9. *Ibid.*, Book VII, Ch. 4, 13, p. 267.

10. *Ibid.*, Book VII, Ch. 4, 14, p. 267-268.

11. *Ibid.*, Book VII, Ch. 5, p. 268.

12. *Ibid.*, Book VII, Ch. 5, p. 268.

13. *Ibid.*, Book VII, Ch. 5, 3, p. 268.

(c) *The situation of the city*—In making the scheme of his ideal state, Aristotle gives a very important place to the site and situation of the city. The best situation of the city will command both the advantages of sea and land for military as well as for commercial purposes. "It would, undoubtedly, be better both with a view to safety and to the provision of necessities, that the city and territory should be connected with the sea ; the defenders of a country, if they are to maintain themselves against an enemy, should be easily relieved both by land and by sea ; and even if they are not able to attack by sea and land at once, they will have less difficulty in doing mischief to their assailants on one element, if they themselves can use both".¹⁴ The city will practise trade and commerce but only to the satisfaction of its requirements. "It is necessary that they should import from abroad what is not found in their own country, and that they should export what they have in excess, for a city ought to be a market not indeed for others, but for herself".¹⁵ The city should have dockyards and harbours placed outside the city, but not too far off ; and they should be protected by walls and other fortifications. Cities thus situated manifestly reap the benefit of intercourse with their ports ; and any harm which is likely to accrue may be easily guarded against by the laws, which will pronounce and determine who may hold communication with one another and who may not".¹⁶ The city should also have a naval force. The citizens require such a force for their own needs, and they should also be formidable to their neighbours in certain cases. "The proper number or magnitude of this naval force is relative to the character of the state ; for if her function is to take a leading part in politics, her naval power should be commensurate with the scale of her enterprises".¹⁷ The mariners, according to Aristotle, should be free citizens and the sailors should belong to the subject, agricultural class. The city should also be rich in fruits and the supply of timber. Timber is essential because it is needed for building a strong naval force.

(d) *The character of the citizens*—Aristotle is very much convinced that no polity, howsoever efficient its machinery of government may be, can be great unless its citizens possess a sound national

14. *Ibid.*, Book VII, Ch. 6, 2-3, p. 269.

15. *Ibid.*, Book VII, Ch. 6, 4, p. 269.

16. *Ibid.*, Book VII, Ch. 6, 5, p. 269.

17. *Ibid.*, Book VII, Ch. 6, 6-7, p. 270.

character. In this connection Aristotle says, "This is a subject which can be easily understood by any one who casts his eye on the more celebrated states of *Hellas* and generally on the distribution of races in the habitable world".¹⁸ Those people, who live in a cold climate and in Europe, are certainly full of spirit, but they are wanting in intelligence and skill, with the result that they can keep their freedom, but can have no political organization, and are thus incapable to rule over others.¹⁹ On the other hand, the people of Asia are intelligent and inventive, but they are wanting in spirit, and hence they are always in a state of subjection and slavery.²⁰ "But the Hellenic race, which is situated between them, is likewise intermediate in character, being high-spirited and also intelligent. Hence it continues free, and is the best governed of any nation, and if it could be formed into one state would be able to rule the world."²¹ To describe the best character of the Greeks Aristotle concludes by saying that the Greeks occupy a territorial position between the northern people of Europe and the Asiatics. They combine the spirit of the former and the intellectuality of the latter and hence such a character is the best.

(e) *The Parts of the State* : After discussing the character of the citizens, Aristotle describes the various parts of the state which are necessary for its maintenance. There are many things which are indispensable for the life of the state. But Aristotle says that every indispensable thing is not its part. Property, as for example, is indispensable but is not a part of the state.²² The indispensable parts of the state are described by Aristotle in the light of the essential functions of a state. The state will have as many indispensable parts as it will have the functions to perform. For the proper maintenance of the life of state, "first, there must be food ; secondly, arts, for life requires many instruments ; thirdly, there must be arms, for the members of a community have need of them in order to maintain authority both against disobedient subjects and against external assailants ; fourthly, there must be a certain amount of revenue, both for internal needs and for the purposes of

18. *Ibid.*, Book VII, Ch. 7, p. 270.

19. *Ibid.*, Book VII, Ch. 7, 2, p. 270.

20. *Ibid.*, Book VII, Ch. 7, 2, p. 270-271.

21. *Ibid.*, Book VII, Ch. 7, 3, p. 271.

22. *Ibid.*, Book VII, Ch. 8, 4, p. 272.

war ; fifthly, or rather first, there must be a care of religion, which is commonly called worship ; sixthly, and most necessarily of all, there must be a power of deciding what is for the public interest, and what is just in men's dealings with one another".²³ The indispensable requisites of the state may thus be described as follows :

1. Elements

- (a) Food
- (b) Arts
- (c) Arms
- (d) Revenue
- (e) Religion
- (f) Deliberative and legal procedure

1. Their Representatives

- (a) Husbandman
- (b) Artisans
- (c) Soldiers
- (d) Capitalists
- (e) Priests
- (f) Politicians and Judges.

In this way, the above things are indispensably needed for the life of a state, "for a state is not a mere aggregate of persons, but a union of them sufficing for the purposes of life ; and if any of these things be wanting, it is simply impossible that the community can be self-sufficing. A state then should be formed with a view to the fulfilment of these functions".²⁴

(f) *The Distribution of functions in the Ideal State*—After discussing the parts of the state and the various classes represented by them, Aristotle proceeds to assign different functions and duties to these classes. The question that Aristotle raises in this connection is, "Shall every man be at once husbandman, artisan, councillor, judge, or shall we suppose the several occupations just mentioned assigned to different persons ? or, shall some employments be assigned to individuals and others common to all ?" Aristotle's reply in this connection is that "since we are here speaking of the best form of government, and that under which state will be most happy, it clearly follows that in the state which is best governed the citizens who are absolutely and not merely relatively just men must not lead the life of mechanics or tradesmen, for such a life is ignoble and inimical to virtue. Neither must they be husbandmen, since leisure is necessary both for the development of virtue and the performance of political duties".²⁵

Again, to the question whether the warriors or councillors be distinguished, or are both functions to be assigned to the same

23. *Ibid.*, Book VII, Ch. 8, 7, p. 273.

24. *Ibid.*, Book VII, Ch. 8, 8-9, pp. 273-274.

25. *Ibid.*, Book VII, Ch. 9, 3-4, p. 274.

persons, Aristotle's reply is that "both functions of government should be entrusted to the same persons not, however, at the same time, but in order prescribed by nature, who has given to young men strength and to the older men wisdom. Such a distribution of duties will be expedient and also just, for it is in accordance with desert".²⁶

Writing about the governing class, Aristotle says that "the ruling class should be the owners of property, for they are citizens, and the citizens of a state should be in good circumstances; whereas mechanics or any other class whose art excludes the art of virtue have no share in the state".²⁷ Since happiness cannot exist without virtue and virtue without property, it should therefore be in the hands of citizens who include the members of the military, political and judicial classes. It should not belong to the husbandmen because they "will of necessity be slaves or barbarians or Perioeci".²⁸

Regarding the priestly class, Aristotle says that "no husbandman should be appointed to it; for the Gods should receive honour from the citizens only".²⁹ And since the citizen body is divided into two classes, the warriors and the councillors, the priestly functions, therefore, should be assigned to the old men of these two classes.³⁰ It is in this way that Aristotle distributed different duties to the different classes of his state and perfected the scheme of ideal-state which he considers to be a practical and realizable ideal.

(g) *Criticism of Aristotle's Ideal State*—In drawing up his scheme of the ideal-state, Aristotle has tried his best to be a realist, but the fact remains that idealism is not completely given up. The modern statesman whose business it is to create the best type of state can learn a great deal from Aristotle's theory of the ideal-state. Like Plato, Aristotle also aims at specialization, but it is a specialization absolutely of a different kind. Like Plato, he does not stamp his citizens as men of gold, men of silver and men of iron. In his ideal-state, like Plato, Aristotle also aims at unity, but it is a unity in plurality. Realising the dangers involved in the abolition of family and establishment of dictatorship of the philosopher-king, Aristotle maintains the family as a very important institution of social life serving a

26. *Ibid.*, Book VII, Ch. 9, 6, p. 275.

27. *Ibid.*, Book VII, Ch. 9, 7, p. 275.

28. *Ibid.*, Book VII, Ch. 9, 8, p. 275.

29. *Ibid.*, Book VII, Ch. 9, 9, p. 275.

30. *Ibid.*, Book VII, Ch. 9, 9, p. 275-276.

moral purpose, and abolishes the despotism of the philosopher-king as a worst type of tyranny. In the Platonic state the individual was completely absorbed in the life of the state. He was to do his own. But in the Aristotelian state the individual has his own, and by fulfilling his duties, he does not lose himself in the state. Aristotle supposes the state to be a whole, and individual its parts. It explains the moral obligation on the part of individuals to work for the life of state. The analogy that he effects between individual and the state is pressed too far. Like Plato, Aristotle does not seek a superman who will create a state as good as ought to be; he, rather, seeks a superscience which will create a state as good as can be.³¹

31. C. C. Maxey, *Political Philosophies*, 5th edition (1956), p. 68.

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CHAPTER 20

ARISTOTLE'S THEORY OF REVOLUTION

1. *Introductory* : One of the prime administrative duties of a statesman who presides over the destiny of a state, is to give it internal stability. It is his duty to satisfy the legitimate aspirations of those who have accepted his authority and obey his commands. It is his function to see that causes do not exist which may affect or paralyse the machinery of government. The analytical and empirical mind of Aristotle, the first of the Political Scientists, as he is called, gives us numerous causes which may lead to sedition and affect the life of a state. As a physician examines the patient and suggests proper remedies for curing the disease, in the same fashion, Aristotle, the son of a medical practitioner, also follows the same method of ascertaining the ills of the body politic. He sets himself to examine the various causes of revolution which had become frequent in his day, and suggests remedies for their prevention. In Book V of his *Politics*, Aristotle collects vistas of historical facts, and gives to this subject of revolution a scientific analysis and masterly treatment. Before discussing the various causes of revolution and their preventives, Aristotle starts with the examination of different forms of revolutions.

2. *Different forms of Revolution* : According to Aristotle, a revolution is said to have taken place when four kinds of changes arise in the system of government. In the first place, when the change affects the constitution itself, that is to say, when men seek to change from an existing form into some other, as for example, from democracy into oligarchy, and from oligarchy into democracy, or

from either of them into constitutional government or aristocracy, and conversely.¹ In the second place, when the change so takes place that it does not affect the constitution, when men, without disturbing the form of government whether oligarchy, or monarchy, or any other, try to get the administration into their own hands.² In the third place, a change may so take place which may simply produce a difference of degree, as for example, when an oligarchy may become more or less oligarchical, and a democracy more or less democratical ; and in like manner the characteristics of the other forms of government may be more or less strictly maintained.³ In the fourth place, a revolution may be directed against a portion of the constitution only, e.g., the establishment or overthrow of a particular office.⁴ As for example, at Epidamnus, the change was partial, when instead of heads of tribes, a council was appointed to carry on administrative duties and responsibilities.

3. *General causes of Revolutions* : After describing the various forms of revolution, Aristotle proceeds to describe the general causes of revolutions. According to Aristotle, such causes may be very well known if we trace the source of a revolution. In this connection we must try to know three things : (1) what is the feeling of those who create the revolution ? (2) what are the motives of those who make them ? and (3) whence arise political disturbances and quarrels ?⁵ The universal and chief cause of this revolutionary feeling is the desire of equality. Democracy, for example, arises out of the notion that those who are equal in any respect are equal in all respects ; because men are equally free, they claim to be absolutely equal. Oligarchy is based on the notion that those who are unequal in one respect are in all respects unequal. As for example, being unequal in property, they suppose themselves to be unequal absolutely. All these forms of government have a kind of justice, and when people think that their share in the government does not accord with their pre-conceived ideas and notions, revolutions take place.⁶ The inferiors revolt in order that they may be equal, and

1. Aristotle's *Politics*, Book V, Ch. I, 8, p. 188, Jowett's translation, 12th edition, (1948).

2. *Politics*, Book V, Ch. I, 8-9, p. 188.

3. Aristotle's *Politics*, Book V, Ch. I, 9, p. 188.

4. *Ibid.*, Book V, Ch. I, 10, p. 188.

5. *Ibid.*, Book V, Ch. II, 2, p. 190.

6. *Ibid.*, Book V, Ch. I, 5-6, p. 188.

equals that they may be superiors. It is this state of mind which impels them to create the revolutions. Apart from this feeling, there are also the motives which become responsible for revolutions. The motives for making the revolutions, according to Aristotle, are the desire of gain and honour, or the fear of dishonour and loss; the authors of them want to divert punishment or dishonour from themselves or their friends.⁷ The causes and reasons of these motives and dispositions which are excited in men, according to Aristotle, are seven in number. To him, they are the particular causes of revolutions.

4. *Particular causes of Revolutions*: Among the particular causes of revolutions, the first is *insolence and avarice*. In the words of Aristotle, "When the magistrates are insolent and grasping, they conspire against one another and also against the constitution from which they derive their power making their gains either at the expense of individuals or of the public. Men who are themselves dishonoured and who see others obtaining honours rise in rebellion; the honour or dishonour when undeserved is unjust, and just when awarded according to merit".⁸

Love of superiority, again, is the cause of revolution. "When one or more persons have a power which is too much for the state and the power of the government; this is a condition of affairs out of which there arises a monarchy, or a family oligarchy".⁹ This state of affairs is resented by the public and gives birth to revolutions. In this connection, Aristotle cites the examples of Athens and Argos, and suggests, at the same time, that all efforts should be made to check the prevalence of such a state of affairs. Every possible precaution is to be taken from the very beginning that such pre-eminent individuals do not come into existence controlling too much power of the state and government.¹⁰

Fear, again, is another cause of revolution. Revolution arises out of the fear when men commit wrong, and are afraid of punishment, or they expect to suffer wrong.¹¹ Such men try to create a revolution as a smoke-screen to conceal their own misdeeds, or of men fearing the aggressions of others to start a revolution in order

7. *Ibid.*, Book V, Ch. II, 3, p. 191.

8. *Ibid.*, Book V, Ch. III, 2, p. 191.

9. *Ibid.*, 3, p. 192.

10. *Ibid.*, 3, p. 192.

11. *Ibid.*, 4, p. 192.

to anticipate their enemies. In this connection, Aristotle has cited the examples of revolution at Rhodes. At Rhodes the notables conspired against the people through fear of the suits that were brought against them.¹²

Contempt is also a cause of revolution and insurrection. As for example, in oligarchies, the political power resides in the hands of a few persons and the majority is left without it. These men of majority revolt because they think that they are the stronger.¹³ What happens in democracies that the rich despise the disorder and anarchy of the state and, hence, they create the revolution. Many examples of revolutions have been cited by Aristotle to establish this cause of revolution. This shows his extensive reading of the world history to ascertain the causes of revolutions. Citing the example of Thebes, he says, that after the battle of Oenophyta, the bad administration of democracy led to its ruin. At Megara, the fall of the democracy was due to a defeat occasioned by disorder and anarchy, and at Syracuse the democracy was overthrown before the tyranny of Gelo arose.¹⁴

Another cause of revolution is *disproportionate increase in any part of the State*.¹⁵ As a body is made up of many parts, and every part ought to grow in proportion so that its symmetry may be preserved, in the same way, the state is also like a body which has many parts and which ought to grow proportionately to preserve its symmetry and real form. As for example, the number of poor in democracies and in constitutional states may increase disproportionately or the number of rich in oligarchy. If this is allowed to happen, both the rich and the poor classes will always try to offset the preponderance of each other, thus causing dissensions and revolutions. For this reason, Aristotle suggests, the political power should be vested neither in the hands of the rich nor in the hands of the poor, but in the middle class. Aristotle, thus, "realized that political stability depends on an equitable social and economic order", and as such he was "opposed to selfish class rule by either an excessively wealthy plutocracy or by a propertyless proletariat". "Thus it is manifest that the best political community is formed by citizens of the middle class, and that those states are likely to be well administered,

12. *Ibid.*, 4, p. 192.

13. *Ibid.*, 5, p. 192.

14. *Ibid.*, 5, p. 192.

15. *Ibid.*, 6, p. 192.

in which the middle class is large, and stronger if possible than both the other classes, or at any rate than either singly".

Other causes of revolutions are *election intrigues, carelessness, neglect about trifles, dissimilarity of elements*. Forms of government also change owing to election contests. In this connection, Aristotle mentions the example of Heraea, where, instead of electing their magistrates, the people took them by lot. This created a resentment among the electors because they were in the habit of choosing their own partisans.¹⁶ Revolutions also take place owing to negligence or carelessness. As for example, when disloyal and faithless persons are allowed to find their way into the highest offices, as at Oreum where on the accession of Heracleodorus to office, the oligarchy was overthrown and changed by him into a democratic and constitutional government.¹⁷ The neglect about trifles, sometimes, becomes the cause of revolution. Great change may sometimes slip into the constitution through neglect of a small matter.¹⁸ Aristotle explains this cause of revolution by quoting the example of Ambracia, where, for instance, the qualification for office was very small at first; but later on was reduced to nothing. The Ambraciots thought that a small qualification was as much the same as none at all. This caused a great resentment among them, and they created the revolution.

Dissimilarity of elements is another very important cause of revolutions. By dissimilarity of elements Aristotle means the difference of races which do not at once acquire a common spirit.¹⁹ One very glaring example which may be quoted in this connection is that of our own country where the racial differences between the Hindus and the Muslims led to many a communal riot resulting in mutual slaughters and murders and which, ultimately, led to the partition of India. Aristotle rightly says that "a state is not the growth of a day, nor is it a multitude brought together by accident. Hence the reception of strangers in colonies, either at the time of their foundation or afterwards, has generally produced revolution: for example, the Achaeans who joined the Troezenians in the foundation of Sybaris, being the more numerous, afterwards expelled them;

16. *Ibid.*, 9, p. 193.

17. *Ibid.*, 9, p. 194.

18. *Ibid.*, 10, p. 194.

19. *Ibid.*, 11, p. 194.

hence the curse fell upon Sybaris. At Byzantium the new colonists were detected in conspiracy, and were expelled by force of arms".²⁰

5. *Minor causes of Revolution* : Trifling things sometimes become the cause of revolution. "Trifles are most important when they concern the rulers, as was the case of old at Syracuse".²¹ The Syracusan constitution was once changed by a love-quarrel of two young men, who were in the service of the government. The story is told like this that while one of them was away from home, his beloved was gained over by his companion, and he too in order to revenge himself, seduced the wife of another. Consequently, both of them drew all the members of the ruling class into their quarrel and made a revolution.²² "We learn from this story that we should be on our guard against the beginnings of such evils, and should put an end to the quarrels of chiefs and mighty men".²³

A marriage-quarrel at Delphi was responsible for a revolution. In this case "the bridegroom, fancying some occurrence to be of evil omen, came to the bride, and went away without taking her. Whereupon her relations, thinking that they were insulted by him, put some of the sacred treasure (among his offerings) while he was sacrificing, and then slew him, pretending that he had been robbing the temple".²⁴ Many stories, of this type or that, have been narrated by Aristotle, which had stirred up a revolution. What Aristotle suggests in this connection is that an error at the beginning, howsoever small, should not be allowed to assume disproportionate dimensions. If it is allowed to continue and enlarge, it becomes a ripe and fruitful cause of revolution.

6. *Causes of revolutions in different kinds of States* : "These doctrines as to the causes of revolutions are applied by Aristotle to each of the special forms of constitution. Democracy, oligarchy, polity and aristocracy are subjected in turn to a searching examination, through which the manner of their undoing is laid bare".²⁵ This method of investigation is a typical example of the observational and comparative approach for the study of political science. It is this type of approach which has made him the first political scientist. "This investigation is an almost perfect example of the

20. *Ibid.*, 12, p. 194.

21. *Politics*, Chap. 4, p. 195.

22. *Ibid.*, Book V, Chap. 4, 2, p. 195.

23. *Ibid.*, Book V, Chap. 4, 3, p. 195.

24. *Ibid.*, Book V, Chap. 4, 5-6, p. 196.

25. W. A. Dunning, *Political Theories*, Vol. I, pp. 86-87.

application of the historical method in political science. The facts adduced by Aristotle as the basis of his reasoning constitute a valuable body of sources for Greek history, and at the same time throw a rather lurid light on Hellenic politics".²⁶ Aristotle's analysis of the different causes of revolutions in different states is also based on his study of the different conditions of Hellenic politics. But some of the causes of revolutions are as valid and good today as they were many hundred years ago. According to Aristotle, revolutions in democracy generally take place because of the "intemperance of demagogues, who either in their private capacity lay information against rich men until they compel them to combine (for a common danger unites even the bitterest enemies), or coming forward in public they stir up the people against them".²⁷ Aristotle, in this connection, has cited the example of Cos, where democracy was overthrown because of the wickedness of demagogues who stood up in revolt and were also joined by the notables.²⁸

Revolutions in oligarchy take place because of two patent causes. Firstly, the oligarchs are overthrown because of their tyrannical and oppressive rule.²⁹ Secondly, they are overthrown by the personal rivalry of the oligarchs, which leads them to play the demagogues.³⁰ In aristocracies revolutions take place when only a few persons share in the honours of the state. Aristocracy, a government of the few, and although these few are the virtuous and not the wealthy, but the two are often compounded.³¹ Revolutions will be most likely to happen, and must happen, when the majority of the people are high spirited, and have a conviction that they are as good as their rulers.³² Revolutions in the monarchical form of government take place either owing to the tyrannical behaviour of the monarch towards his people or the personal insult inflicted on some notable person which urges him to conspire and revolt against the monarch. After explaining the different causes of revolution, Aristotle also suggests various remedies for the prevention of revolutions.

7. *Remedies for the prevention of Revolutions*: The first essential for preventing revolutions, according to Aristotle, is "to

26. *Ibid.*, p. 87.

27. Aristotle's *Politics*, Book V, Chap. 5, 1, p. 198.

28. *Ibid.*, Book V, Chap. 5, 2, p. 198.

29. *Ibid.*, Book V, Chap. 6, 1, p. 200.

30. *Ibid.*, Book V, Chap. 6, 6, p. 201.

31. *Ibid.*, Book V, Chap. 7, 1, p. 205.

32. *Ibid.*, Book V, Chap. 7, 2, p. 205.

guard against the beginning of change".³³ In the second place, "people should not rely upon the political devices invented only to deceive the people for they are proved by experience to be useless".³⁴ In the third place, the governing classes should not maltreat any who are excluded from the government ; instead, they should introduce a leading spirit among them. "They should never wrong the ambitions in a matter of honour, or the common people in a matter of money ; and they should treat one another and their fellow-citizens in a spirit of equality. The equality which the friends of democracy seek to establish for the multitude is not only just but likewise expedient among equals".³⁵ If the governing classes are numerous, the restriction of the tenure of office to six months will prove to be very beneficial, because all those who are of equal rank will get a chance to share in the working of government.

In the fourth place, for preventing revolutions, Aristotle suggests that the patriotism of the people should be kept at a 'Fever pitch'. "The ruler who has a care of the state should invent terrors, and bring distant dangers near, in order that the citizens may be on their guard, and, like sentinels in a night-watch, never relax their attention".³⁶ The fifth remedy for preventing revolutions, according to Aristotle, is "not to allow the disproportionate increase of any citizen, but to give moderate honour for a long time rather than great honour for a short time. For men are easily spoiled ; not every one can bear prosperity. But if this rule is not observed, at any rate the honours which are given all at once should be taken away by degrees and not all at once. Especially should the laws provide against anyone having too much power, whether derived from friend or money ; if he has, he and his followers should be sent out of the country... And for a like reason an increase of prosperity in any part of the state should be carefully watched. The proper remedy for this evil is always to give the management of affairs and offices of state to opposite elements ; such opposites are the virtuous and the many, or the rich and the poor."³⁷ In the sixth place, the government of the state should be so organized that its officers may be prevented from taking bribery. In this connection, Aristotle has

33. *Ibid.*, Book V, Chap. 7, 4, p. 208.

34. *Ibid.*, Book V, Chap. 7, 4-5, p. 208.

35. *Ibid.*, Book V, Chap. 8, 5-6, p. 209.

36. *Ibid.*, Book V, Chap. 8, 8, p. 209.

37. *Ibid.*, Book V, Chap. 8, 12-14, pp. 210-211

said, "Above all, every state should be so administered and so regulated by law that its magistrates cannot possibly make money".³⁸ In the seventh place, and lastly, the thing which contributes most to the permanence of constitutions is "the adaptation of education to the form of government". That is to say, the citizens should be so educated that they may be harmonised in the spirit of the constitution of the state. Aristotle considers a system of education suited to the constitution as the best of all preservatives of the state.

In this way, by diagnosing the various causes of revolutions and suggesting various remedies for their prevention, Aristotle has done a signal service to humanity. On this issue his pragmatic approach is sufficiently visible. He has thrown a flood of light on this problem of revolutions and seditions in the state, and those who did not care to take advantage of it fell into the ditch of destruction and disaster. The French Revolution of 1789, and the Russian Revolution of 1917 are the two great classical examples to demonstrate the inestimable worth of his ideas on revolutions. The pages, which have been devoted to this problem in the *Politics*, have made it a handbook of the statesmen for all times to come.

38. *Ibid.*, Book V, Chap. 8, 15, p. 211.

CHAPTER 21

ARISTOTLE'S THEORY OF SLAVERY

"The slaves of whom he speaks were household servants and assistants in small business. He had *not before his eyes the system of enormous industries* carried by the huge gangs of slaves under conditions of revolting degradation which disgraced the later Roman Republic and the early Roman Empire or the Southern States of North America. His problems are in all essentials much the same as those which concern us today in connection with the social position of the classes who do the hard bodily work of the community."

—A. E. Taylor.

1. *Introductory*: Plato, the teacher of Aristotle, was quiet on the question of justification or abolition of slavery. This attitude of Plato towards this universal institution in Greece was interpreted by some thinkers to mean that he had abolished this institution in principles in his Republic. Aristotle, the disciple of Plato, comes forward with a justification of this institution. Commenting on Aristotle's justification of slavery Dr. Barker observes, "It is a reasoned defence of an institution which the civilized world has already conspired to reject. It is an attempt to justify what has often been called a blot on Greek civilization". In fact, Aristotle justifies slavery on grounds of expediency. He regarded its continuance as expedient both to the slave and as well as to the master. The

problem which Aristotle has to face is the moral justifiability of slavery.

2. *Character of Greek slavery*: It must be clearly understood that, while defending the institution of slavery, Aristotle had in his mind, principally, the example of the Attic slave, whose condition in the society was not very uncomfortable. In Attica, the slave was treated a member of the family in his master's household, who dressed like any other member of the family. He suffered no social or legal degradation and was entitled to protection and security on the part of the state. He had no patience with the idea of a huge slave trade as was carried by Hawkins in Asia Minor in modern times. He was not thinking of that slave who received a very cruel and inhuman treatment at the hands of plantation growers. But as Dr. A. E. Taylor says, "The slaves of whom he speaks were household servants and assistants in small business. He had not before his eyes the system of enormous industries carried by the huge gangs of slaves under conditions of revolting degradation which disgraced the later Roman Republic and the early Roman empire or the Southern States of North America. His problems are in all essentials much the same as those which concern us to-day in connection with the social position of the classes who do the hard bodily work of the community."

3. *Aristotle's conception of a Slave*: In Book I of his *Politics*, Aristotle clearly sets forth his conception or definition of a slave. Every art, he tells us, requires its proper instrument. The management of a household is an art which also requires proper instrument. "Property is a part of the household, and therefore the art of acquiring property is a part of the art of managing the household; for no man can live well, or indeed live at all, unless he be provided with necessities".¹ And "as in the arts, which have a definite sphere, the workers must have their own proper instruments for the accomplishment of their work, so it is in the management of a household".² Now instruments are of various sorts, some are living, others lifeless; the servant or slave is also a kind of instrument. Thus, too, a possession is an instrument for maintaining life. And so, in the arrangement of the family, a slave is a living possession, and property a number of such instruments; and the servant is himself an instrument, which takes precedence of all other instruments".³

1. Aristotle, *Politics*, Book I, 3-4, p. 31 (Jowett's translation).

2. *Ibid.*, Book I, 4, p. 31.

3. *Ibid.*, Book I, 4, 2, p. 31.

"Here, however, another distinction must be drawn: the instruments commonly so-called are instruments of production, whilst a possession is an instrument of action. The shuttle, for example, is not only of use, but something else is made by it, whereas of a garment or of a bed there is only the use".⁴ Further, as production and action are different in kind, and both require instruments, the instruments which they employ must likewise differ in kind. But life is action and not production, and therefore the slave is the minister of action (for he ministers to his master's life)".⁵ Again, "a possession is spoken of as a part is spoken of; for the part is not only a part of something else, but wholly belongs to it; and this is also true of a possession. The master is only the master of the slave; he does not belong to him, whereas the slave is not only the slave of his master, but wholly belongs to him. Hence we see what is the nature and office of a slave; he who is by nature not his own but another's and yet a man, is by nature a slave; and he may be said to belong to another who, being a human being, is also a possession. And a possession may be defined as an instrument of action, separable from the possessor".⁶ Aristotle's position may be more clearly and briefly described as follows. The family or the household needs two types of property for its maintenance—animate and inanimate. Among the inanimate property, Aristotle includes chairs, tables, utensils and other furniture etc. Among the animate he includes the slave. Hence he defines slave as a piece of property of an animate kind engaged in rendering household services. By slavery, Aristotle simply means domestic service. By slave he means a domestic servant who is engaged to do the menial type of work in the service of the family.

4. *Justification of Slavery*: The Sophists in Greece had rejected slavery on the ground that it was based on force, custom and utility. But Aristotle justifies it on the basis of nature and character of the slave. He "sees nothing inconsistent with his principles in defending the contemporary institution of slavery, which every one in Ancient Greece accepted as a normal and essential element in social life".⁷ He defends slavery on the ground that it is quite in accord with the laws of nature and the principles of justice. It is a natural institution in as much as there are always a few people who, from the very hour of their birth, are earmarked for subjection. "For that

4. *Ibid.*, Book I, 4, 4, pp. 31–32.

5. *Ibid.*, Book I, 4, 5, p. 32.

6. *Ibid.*, Book I, 4, 5–6, p. 32.

7. A. R. M. Murray, *An Introduction to Political Philosophy*, p. 63.

some should rule and others be ruled is a thing, not only necessary, but expedient ; from the hour of their birth, some are marked out for subjection, others for rule".⁸ Aristotle contends that "nature is universally ruled by the contrast of the superior and inferior : man is superior to animals, the male to the female, the soul to the body, reason to passion. In all these divisions, it is just that the superior rules over the inferior, and such a rule is to the advantage of both"

Again nature has made distinction between the bodies of freemen and slaves, making the one strong for servile labour, the other upright, and although useless for such services, useful for political life in the arts both of war and peace⁹. But this does not hold universally true, because some slaves have the souls and others have the bodies of freemen. And doubtless if men differed from one another in the mere forms of their bodies as much as the statues of the gods do from men, all would acknowledge that the inferior class should be slaves of the superior.¹⁰ And if there is a difference in the body, how much more in the soul ! But the beauty of the body is seen, whereas the beauty of the soul is not seen. It is clear, then, that some men are by nature free, and others slaves, and that for these latter slavery is both expedient and right.¹¹

Again reason proves that a principle of rule and subordination runs through the world. Such a duality exists not only among living creatures but also among things which are inanimate. As for example, even in music there is a dominating chord.¹² In the human body it is the soul that governs the body despotically. The relationship of the master and the slave is just like the relationship of the soul to the body. The slave in relation to his master is a mere body, and as the body is governed by the soul, in the same way, the slave should be governed by his master. The differences of moral endowment, which nature had given, were the ultimate arbiters of liberty and subjection.

Again, according to Aristotle, the scheme of the household is a union of elements in a single compound. What is essential for maintaining the scheme of the household that there should be supremacy of one element and subordination of another. This combination

8. *Politics*, Book I, 5, 2, p. 32.

9. *Ibid.*, Book I, 5, 10, p. 34.

10. *Ibid.*, Book I, 5, 10-11, p. 34.

11. *Ibid.*, Book I, 5, 10-11, p. 34.

12. *Ibid.*, Book I, 5, 4, p. 33.

of command and obedience is very necessary for the attainment of any human purpose. This command and obedience should be governed by the principle of worthy superiority. Intellectual strength is the chief characteristic of the master ; physical strength of the slave. "The combination of these two is essential to the realization of those purposes for which the household exists ; therefore slavery is in accordance with nature". Slavery, thus, according to Aristotle is natural. It is natural because it is moral. It is the same reasoning by which both family and property are justified by Aristotle. Aristotle, thus, gives a moral justification of slavery. The master is endowed with moral superiority whereas the slave is morally inferior. By his admission into the family he not only becomes a good servant but a good man also. Without his admission into the family the higher products of civilization would not have been possible and his moral sense could not have developed at all. Commenting upon this Dr. E. Barker observes, "It is clear from this conception that the slavery which Aristotle contemplates is one which has lost half its string. It is a slavery in which the slave is admitted into the life of family and in which he becomes inclined with the tone and character of the family in which he lives. Within the circle of the family the slave is a person. He is a member of this lesser association sharing in its full moral life, as a real part, and not as a mere condition. Through his membership he attains the virtue, in the peculiar ministerial form which befits his position. He attains self-control of a servant subordinating himself to his superior".

5. *Justification of slavery in War*: Besides giving the moral justification of slavery, Aristotle also gives the legal justification of slavery. Just as it is fair and just to hunt against wild animals, so it is "against men, who, though intended by nature to be governed, will not submit". But the determination of the question, as to who is intended by nature to govern, or to be governed, seems to be a difficult task. The answer that Aristotle gives to this question is, that it is "to be decided by the conquerors of a defeated nation rather than by an impartial, third-party court of appeal". "Aristotle, in his doctrine of just wars of conquest and enslavement, anticipates Hegel's dictum that world history is the world court".¹³ This is sometimes called the legal justification of slavery which is based on the doctrine of might is right. "In ancient times, the victor was

13. W. Ebenstein, *Introduction to Political Philosophy*, p. 31.

regarded as legally entitled to confiscate both the person and property of the vanquished. Legal slavery arose out of wars, in which one party secured the victory and reduced the enemy into a state of legal slavery. The vanquished population became slaves under law, and the victors their legal masters". Aristotle's conception of legal slavery is confused and his reasoning, in this regard, is very defective and highly prejudicial. It is defective because "it wrongly asserts that any one who has been the victim of force is to be the slave or subject of any one who is able to employ force". It is prejudicial, because, it presupposes that the Greeks are fit to rule the world, and they cannot be enslaved even if they are defeated by the barbarians. This logic of Aristotle, which makes the Greeks the natural masters, and the rest of the people of the world as natural slaves, is highly defective.

6. *How far has the modern world risen above the position of Aristotle?*: The modern world has very much risen above the position of Aristotle. It no longer believes in the inherent inferiority of a large proportion of human beings. It is in this respect that the Aristotelian doctrine stands in sharp contrast to the modern belief in the rights of man.¹⁴ No one among the modern thinkers comes forward as a supporter of this institution. It rather receives a ruthless condemnation in the middle of the 18th century at the hands of Montesquieu, who exploded the Aristotelian doctrine of natural superiority of one race to another. He declared that slavery was against nature, and the natural law, which declares that all men are equal. The influence of Stoicism, and Christian civilization had much to do in this regard in shaping the idea of the equality of men.

But it is also correct to say, at the same time, that even the modern world is not entirely free from the influence of Aristotle. Slavery in the form of domestic service and racial discrimination continues to exist even now. To quote Prof. A. R. M. Murray, "The modern world is not without examples of racial discrimination which are defended by essentially the same arguments as those employed by Aristotle. There may, conceivably, be some moral justification for such discrimination, but empirical philosophers could readily account for it as the natural effect of social and economic conditions in which such discrimination has proved advantageous to the possessors of power and privilege".¹⁵ To Prof. C. C. Maxey,

14. A. R. M. Murray, *op. cit.*, p. 63.

15. *Ibid.*, p. 63.

"The learned apologists for Negro slavery in the old south drew their best arguments from Aristotle. His weaving together of the ethical and the economic in such a manner that the latter would derive from the former furnished them with the most cogent brief ever made in defence of human bondage....The assumptions of a ruling class always seem good until its power is broken, and then it needs no master dialectician to demonstrate their falsity. From the first lashwinger down to the latest labour-driver, assumptions of innate superiority have always been made by those who live by the toil of others. Having the power to rule, they doubt not that they are superior beings having a just right to rule".¹⁶ The world would be a far better place to live in if it comes to believe that living beings in this world are born equal, are created by the same Almighty God, are made of the same stuff. It should believe that every man and every nation living in it has to occupy a respectable place, and live with honour. To ensure this and to give every human being and every nation a respectable place, the world should persistently endeavour in common. Those bigger nations, which are more-comfortably placed in their economic spheres, should help those which are less comfortably placed. The nations should give every individual what is his due, and if it requires a change in their social and economic structure, they should not hesitate even for a moment to do it. The eradication of social and economic inequalities is the panacea for many of the ills which afflict our present-day world.

7. *Criticism of Aristotle's theory of Slavery*: On the question of slavery, students of political science will always have a legitimate right to pass a vote of no-confidence against Aristotle, because his defence of this institution is against all canons of justice and morality. No doubt, the institution of slavery was universally prevalent in Greece in his time, but a philosopher of his stature was expected to put a bastion to check its tide rather than release more forces of arguments to increase it speed. "His acceptance of slavery shows how even a wise and great philosopher is captive of the institutions of his time, and of the prejudices that rationalize them".¹⁷ His doctrine of slavery has been subjected to a ruthless criticism on many grounds. In the first place, his doctrine of slavery goes against the forces of his teleology. Man, as Aristotle himself says, is created by nature to attain the good life. To attain good life, therefore, is

16. C. C. Macey, *Political Philosophies*, pp. 64-65.

17. W. Ebenstein, *op. cit.*, p. 32.

the purpose of nature. But if nature itself has made a certain body of people as brutes, idiots and damn-fools, the slavery cannot be regarded as natural, but unnatural, because it will go against the very purpose of nature. In the second place, the Aristotelian doctrine of natural superiority and inferiority sounds very illogical. "Instead of having two classes of men, the natural masters and the natural slaves, we shall get various grades of rules, where every individual shall be the natural slave of his natural superiors and the master of his natural inferiors. But Aristotle did not deduce such a conclusion". In the third place, "it is rather difficult to see the moral or intellectual value of a distinction which gives to a man the status of a beast while admitting that he has not ceased to be a man".¹⁸ As Prof. Barker has rightly put it, "If the slave can be treated as a man in all, and the admission that he can be regarded as a man destroys that conception of his wholly slavish and non-rational (one might say non-human) character, which was the one justification of his being treated as a slave".¹⁹ Lastly, "the utter hollowness of such a theory as this becomes evident if judged either by the facts of life or by the rules of Aristotle's own logic, and it is clear from his statements that some of his contemporaries were far in advance of him on this point not only in condemning as unjust the actual slavery of the time, but in rejecting as untrue the whole conception of any such inequality as could ever warrant a subordination of one man to another to the extent of making him the mere instrument of the other's will".²⁰

18. C. H. McIlwain, *The Growth of Political Thought in the West*, pp. 70-71, 10th edition (1957).

19. E. Barker, *Political Thought of Plato and Aristotle*, p. 366 (1906).

20. C. H. McIlwain, *op.cit.*, p. 71.

CHAPTER 22

ARISTOTLE'S CONCEPTION OF LAW AND CITIZENSHIP

"Law is a dispassionate reason. It is the moral code of a community....Obedience to it constitutes virtue which is so essential for good citizenship."

—*Aristotle.*

1. CONCEPTION OF LAW

1. *Introductory* : Jurisprudence and history have always gone hand in hand. As the problems of society have differed from age to age, so also the legal solutions have varied from time to time. This has given to jurisprudence a variety of character—ethical, legal, philosophical, sociological and international. It has come to be interpreted in the light of those social problems, and has grown with the growth of societies at different times. At one time, if it was interpreted as the dictate of right reason, at other times, it came to be interpreted as the command of *A* sovereign. If it was interpreted by some as the expression of general will, it was interpreted by others as the outcome of social solidarity. It has today transcended all national boundaries and has come to assume an international character containing rules and principles which regulate the relations of the family of nations. It is this difference in the varying problems of different societies that led the Greek philosophers, Roman Jurists,

Christian Fathers, medieval doctors, and modern thinkers to interpret ~~de~~ law in their own way.

2 *Aristotle's conception of Law*: Like Socrates, and Plato of the Laws, Aristotle also attaches a sort of sanctity to laws of society. He interprets law as a great preventive and restraining force of a community. He considers it rational through and through. It is that regulating force which determines for individuals of the state as to what course of action should be pursued, and what course of action is the best. He defines law "as the sum of all the spiritual limits under which man's actions must proceed". The greatest spiritual limitations on men's actions are exercised by passionless reason. Aristotle, therefore, describes law as a "dispassionate reason". Aristotle prefers the rule of this law to the rule of men. "Unlike Plato, who searched for perfect justice, Aristotle understood that the basic issue is between the rule of law and the rule of men. Conceding that man-made law can never attain perfect justice, Aristotle nevertheless stresses that "the rule of the law is preferable to that of any individual", and that magistrates should regulate only matters on which the law is silent, because a general rule or principle cannot embrace all particulars. Whereas government based on law cannot be perfectly just, it is at least the lesser evil, when contrasted with the arbitrariness and passion inherent in government based on the rule of men".¹

3. *The Aims and purposes of Law*: Since the state expresses its aim and purpose through the instrumentality of law, the aim and purpose of the state and law, therefore, is identical. The highest purpose of the state is to promote good life. The aim of the law, therefore, is also to promote moral and spiritual goods, what Aristotle has termed as the final Good. The promotion of this end makes it a moral code. It makes it a moral code, because it determines morality and spirituality of a community. It is this character of law which makes it sovereign. It is sovereign because there is no power supreme over it. His pure states were law-governed states in which the rulers were essentially administrators and guardians of laws. It was an expression of dispassionate reason, and represented social experience, wisdom and social conscience. It was a social condition under which it could be possible for the citizen "to live happily and well". It is to be noted that Aristotle's law included customs also.

1. W. Ebenstein, *Introduction to Political Philosophy*, p. 3.

4. *The Sources of Law*: After discussing the aims and purposes of law, Aristotle discusses the origin of law. In explaining this problem Aristotle puts a question, what is the source of law and by whom is it made? His reply in this connection is, that it is framed neither by people, nor by assembly and nor by statesman but by legislator. It cannot be framed by the statesman because it is greater than the statesman. It is greater than the statesman, because it lays down principles and lines on which the state is to move. It again cannot be framed by the people because it itself produces a right habit and spirit in those who are going to live according to it. It is "originally enacted by a legislator who makes it the embodiment of the will of the community by training its members to will the law". Writing in this very connection Aristotle says, "There is no profit of the best laws, passed with the consent of every member of the community, if those members are not habituated and educated therein". For the achievement of this object, Aristotle suggests that the legislator should lay down those principles of education which may train the citizens of the state in the very spirit of the laws. That is to say, it must create in them the spirit of law-abidingness, which, according to Aristotle, is a very important purpose of education. "Thus the existence of a sovereign body, or a sovereign will, is ruled out by Aristotle's conception of the state. To allow a will or power above law is to abrogate the law, and the law is essential to political society".² Thus, the authority of the laws, in the case of Aristotle, is not derived from the legislators, but strictly from principles, which exist externally and independently of them.³

5. *Law as a spiritual Force* : Aristotle treats of the law as reason unaffected by desire. Therefore, he who bids the law-rule may be deemed to bid God and Reason. Its inward spirit, therefore, should possess the divine and rational elements. Their true reality is not objective but subjective. The formal language is a mere external and visible sign of this inward and invisible spirit, and if this spirit does not exist, the law ceases to exist. Taken concretely, they are merely stocks and stones. Everything, in fact, depends on a far wider question whether or not they live, and are rooted in the minds of the members of the community in which they exist. Hence,

2. M. B. Foster, *Masters of Political Thought*, Vol. I, 4th edition (1956), London, p. 164.

3. *Ibid.*, p. 164.

the laws in order to have any meaning or validity, should be habituated into their mental fibre, and their inward spirit.

6. *Stability of Law* : In discussing the question of stability of law, Aristotle puts a question, whether laws should be changed ? He himself sets to answer that it is good to change traditional laws if newer and better are to be found. While some laws should sometimes be altered, yet on the whole change is mistrusted. It is an ill-thing to fall into the spirit of change, even if it be the result of a series of changes for the better. The advantages of change will be less than the disadvantages of instability and disobedience to authority. Writing in this very connection, in Book II of his *Politics*, Aristotle says, "Even when laws have been written down, they ought not always to remain unaltered. As in other arts, so in making a constitution, it is impossible that all things should be precisely set down in writing ; for enactments must be universal, but actions are concerned with particulars. Hence we infer that sometimes and in certain cases laws may be changed ; but when we look at the matter from another point of view, great caution would seem to be required. For the habit of lightly changing the laws is an evil, and, when the advantage is small, some errors both of law-givers and rulers had better be left ; the citizens will not gain so much by the change as he will lose by the habit of disobedience".⁴ It is clear from all this that in spite of his advocacy to effect a change in the old existing laws, Aristotle's ideas in this field, too, are very largely conservative. "Once more", says Dr. Barker, "Aristotle appears to be a conservative who tries to justify the existence of existing".

7. *Law as Natural* : With regard to the nature of law whether it is conventional or natural, Aristotle holds, that it belongs to the latter category. It is not a negative prohibition of offences, which guaranteed to every man his rights against another, but a positive counsel of moral perfection. If that be the purpose of law, it cannot be a set of conventions. It is identical with the eternal and immutable laws of morality, hence it is natural. The law according to Aristotle is natural, because it is moral. It is the same reasoning by which he tries to prove that family, property and slavery are natural, because they are moral.

4. Aristotle, *Politics*, Book II, Ch. 8, 21, p. 81 (Jowett's translation), 1948.

2. CONCEPTION OF CITIZENSHIP

1. *Introductory*: The determination of the question of citizenship, since the very beginning of political speculation, has been a very important problem of political theory. Probably no status has been more highly cherished by man than citizenship. The individual would, practically, be an outcast without it.⁵ The term citizenship can be understood both in a narrow or broad sense. When interpreted in a narrow sense, a citizen is the resident of a city or one who has the privileges of living in a society. Interpreted in a broad sense, the term is not restricted to the resident of a city only, but to any resident (except aliens) living within the territorial jurisdiction of a state. According to the modern conception of citizenship, a citizen is one who enjoys rights both civil and political in return of allegiance which he owes to the state. The term was also used by ancient Greeks, particularly among them, by Aristotle. But the Aristotelian conception of citizenship was quite different from the practice of modern times.

2. *Aristotle's conception of a Citizen*: In explaining his conception of a citizen, Aristotle starts by asking, what are the qualifications of a man to become a citizen and what part has he to play in the life of a state? Writing scornfully about the slaves he passes over with the remark that they should not cherish the idea of becoming citizens even in their dreams. Shifting over to the rest of the people, he says, that a citizen is not a citizen who lives within the territory of a certain state.⁶ Neither does the mere enjoyment of private and legal rights entitle a man to citizenship; because these rights are enjoyed by resident aliens in many places, although in an imperfect form. Hence they do but imperfectly participate in citizenship.⁷ Persons having these rights, according to Aristotle, are treated in the same way as "children who are too young to be on the register or as old men who have been relieved from their state duties".⁸ Aristotle does not term them as citizens because "in the one case they are not of age, and in the other, that they are past the age, or something of the sort".⁹ The deprived citizens and exiles are

5. J. S. Roucek and others, *Introduction to Political Science* (1954), p. 174.

6. *Politics*, Book III, Chap. 1, 4, p. 100.

7. *Ibid.*, Book III, Chap. 1, 5, p. 100.

8. *Ibid.*, Book III, Chap. 1, 5, pp. 100-101.

9. *Ibid.*, Book III, Chap. 1, 5, p. 100.

also to be placed in the same category. Explaining, then, his conception of a citizen, Aristotle says, "The citizen whom we are seeking to define is a citizen, in the strictest sense, against whom no such exception can be taken, and his special characteristic is that he shares in the administration of justice, and in offices".¹⁰ In the light of this conception, Aristotle defines his citizen as a person "who has the power to take part in the deliberative or judicial administration of any state".¹¹ This definition of a citizen can be applicable only to the citizens of a democracy only, and it may or may not be exactly applicable to the other forms of state where the duration of judicial and deliberative office is limited by the laws of the state. According to this definition of Aristotle, a citizen does not remain an ordinary person, but he becomes both a legislator and a judge. "Representative government was unknown to Aristotle because the Greek city-state was governed directly by its citizens. Aristotle could not have foreseen the modern concept of the citizen whose main political act is to vote every few years in an election, and otherwise to leave the actual functions of government to professional legislators, judges and civil servants. Within the small city-state, all slaves and majority of the free were excluded from citizenship".¹² It is clear from this conception of citizenship that Aristotle's views even on this subject are essentially dogmatic and conservative.

3. *A good Man versus a good Citizen* : After his definition of the term 'citizen', Aristotle discusses whether the virtue of a good man and good citizen is the same or not. But before properly entering on this discussion, Aristotle tries to explain the virtues of a citizen. According to him, the virtues and excellence of all citizens are not the same because they have to perform different functions in the life of the state, although their object is common which is the safety and good government of the state. Aristotle explains his point of view by citing the analogy of sailors. "Like the sailor, the citizen is a member of a community. Now sailors have different functions, for one of them is a rower, another a pilot, a third a look-out man, and a fourth is described by some similar term; and while the precise definition of each individual's virtue applies exclusively to him, there is, at the same time, a common definition applicable to them all. For they have all of them a common object,

10. *Ibid.*, Book III, Chap. 1, 5, p. 101.

11. *Ibid.*, Book III, Chap. 1, 12, p. 102.

12. W. Ebenstein, *op. cit.*, p. 30.

which is safety in navigation. Similarly, one citizen differs from another, but the salvation of the community is the common business of them all. This community is the state ; the virtue of the citizen must, therefore, be relative to the constitution of which he is a member".¹³ But since there are many forms of government, it is quite evident that the virtue of the good citizen cannot be the one perfect virtue. Hence, the virtues of a citizen in democracy will be different from those in an oligarchy. But the Aristotelian position is "that the virtue of a good citizen cannot be the one perfect virtue and the good man is he who possesses the perfect virtue". It, therefore, becomes quite obvious from this reasoning that the virtues of a good man and a good citizen are not the same.

Again, the virtues of a good citizen and a good man are not identical. "The first elements into which the living being is resolved are soul and body, as the soul is made up of reason and appetite, the family of husband and wife, property of master and slave ; so out of all these, as well as other dissimilar elements, the state is composed ; and, therefore, the virtue of all the citizens cannot possibly be the same. But Aristotle asks, "Will there not be a case in which the virtue of a good citizen and the virtue of a good man be identical ?" Aristotle himself answers that this may be possible only in a perfect or ideal state. As for example, in a perfect state a good and wise ruler-citizen is a good and wise man, and when these qualities are said to be identical, "it is not the virtue of every citizen which is same as that of the good man, but only the virtue of the statesman and of those who have or may have, alone or in conjunction with others, the conduct of public affairs".¹⁴ The right position, therefore, is that the virtues of a good citizen and a good man in some states are the same, and in others they are different.

4. *Qualifications for Citizenship* : Shifting over to the qualifications of citizenship, Aristotle observes that only those persons, who have private property and leisure time at their disposal, and who are not dependent upon others for the means of their livelihood, should enjoy the rights of citizenship. He expects his citizen to play a double role—the role of a law-maker and the role of a law-observer. In other words, he should possess the capacity to rule and be ruled in order to be virtuous. Besides all these, a citizen should have freedom from material causes and economic worries to play his proper role of

13. *Politics*, Book III, Ch. 4, 2-3, pp. 105-106.

14. *Ibid.*, Book III, Chap. 5, 10, pp. 111-12.

a legislator and that of judge. Keeping these qualifications in view, Aristotle denies rights of citizenship to mechanics and labourers ; because, these persons do not have leisure through which men exercise and perfect their human virtues. Aristotle says, that these are the people who constantly struggle for a crumb of bread and as such they cannot find time to perform their duties of citizenship. Since women are dependent upon others, Aristotle also denies them the rights of citizenship. Till the time they have not chosen their life-partners, they are dependent on their parents, if employed, then on their employers, and when they become object of love of someone's heart, they become dependent upon their shoulders. It is this dependence of women on others which, according to Aristotle, disqualifies them for citizenship. Thus, Aristotle's idea of citizenship "is that of the economically independent gentleman who has enough experience, education and leisure to devote himself to active citizenship".¹⁵

5. *Appreciation and criticism of Aristotle's theory of Citizenship :*

The one great value of Aristotle's theory of citizenship is his advocacy that "the salvation of political society lies in the enthronement of rulers of that salutary middle class which represents the happy mean between wealth and poverty....His preference was decidedly for what might be termed an aristocracy of the middle class. Like the founders of the American Republic, he would severely exclude the propertyless masses from all share in government and would with equal severity hammer down the privileges and immunities of the rich".¹⁶

Again, Aristotle had a very lofty conception of citizenship and its duties. For this reason he excludes not only the slaves, the resident aliens, and the women, but also the mechanics¹⁷ and tradesmen, "for such a life is ignoble, and inimical to virtue", and even the husbandmen, "since leisure is necessary both for the development of virtue and the performance of political duties". The legislative and judicial functions to Aristotle represented the sovereignty of the state. He was perfectly justified in arriving at the conclusion that every member of the state was not capable to have a share in that sovereignty. The rights and duties of citizens in Aristotelian state were of a very

15. W. Ebenstein, *op. cit.*, p. 30.

16. C. C. Maxey, *Political Philosophies*, 5th edition (1956), pp. 72-73.

17. It is to be noted that the 'mechanics' whom Aristotle would exclude from citizenship are not to be thought of as a 'proletariat'. The term includes the industrialists as well as the labourers.

technical and complicated nature; hence, he was quite justified in excluding a large number of persons from the privileges of citizenship. His conception of citizenship should not be judged in the light of the modern conception of citizenship but in the light of certain given historical conditions as they were prevalent in the Greece of his day.

His conception of citizenship makes us very rightly feel that reactionary and conservative forces were very much dominating the mind of the worthy father of Political Science. His exclusion of a very large percentage of men from citizenship is against all canons of justice. His denial of the rights of citizenship to women was counter to the views held by his master. Plato does not condemn his working class from citizenship for ever as Aristotle has done. "In regard to these it is Plato, and not Aristotle, whose thought is the more progressive".¹⁸ According to Aristotle, "the ruling class should be the owners of property, for they are citizens, and the citizens of a state should be in good circumstances".¹⁹ But if the rights of citizenship are to be confined only to the rich class, it may be rightly assumed that legislation in the state will not be for the benefit of all but only for the good of the rich and wealthy class. It would lead to the identification of private interests with the public interests of the state. Not only this, his ideas on this problem, at certain places, are self-contradictory. On the one hand, he admits that the capacity of practical wisdom is the exclusive possession of certain members of the governing class, and on the other hand, he contends that "kings have no marked superiority over their subjects, . . . it is obviously necessary on many grounds that all citizens alike should take their turn of governing and being governed". "It is odd that it never seems to have occurred to Aristotle that the same argument which he brings against the proposal to exclude some citizens from rule might have been turned with equal force against the proposal to exclude some men from citizenship".²⁰

18. M. B. Foster, *Master of Political Thought*, Vol. I, 4th edition (1956), p. 152.

19. *Politics*, Book VII, Ch. 9, 7, p. 275 (Jowett's translation).

20. M. B. Foster, *Masters of Political Thought*, Vol. I, 4th edition (1956), p. 152.

“THE HELLENISM AND UNIVERSALISM IN ARISTOTLE”

“When we look further into his philosophy, beneath the general outlines determined by Hellenic dogmas, we find a long series of principles which are as ultimate as human nature itself, and which, in almost the exact shape in which Aristotle formulated them, are features of political science at the present day”.

—*Dunning.*

1. *Introductory*: Man is always the product of his environment. His ideas, institutions, philosophies and even religion cannot escape its influence. The things that are constantly exercising their influence on them are the historical conditions of a given society, social, political and economic. Aristotle himself, as a member of the “slave-owning civilization, and himself a slave-owner”, could not resist the influence of his environment. For this reason his thought becomes a great representative of Hellenic culture and Hellenic ways of living. But in spite of this tremendous and natural display of subjectivity, there are very many ideas contained in his writings which are of universal validity. As a result of this his political philosophy has become a combination of both Hellenic and universal ideas.

2. *Hellenism in Aristotle*: The broad outlines of Aristotle’s political ideas are based on contemporary Hellenic thoughts and practices. Although “his historical research went far beyond the

confines of Hellas, but the system which he framed was determined in its most essential characteristics by the conditions that prevailed within those confines".¹ His doctrine of superiority of the Greeks over the rest of the races of the world, his justification of slavery as an essential part of the family, his concept of the city-state as the highest unit of political organization, his divorce between 'bread-winning pursuits' and the high and noble duties of citizenship, his advocacy of the state-controlled system of education and training for the attainment of social and political virtues, and, finally, his subordination of all private and personal interest and as well as human conduct to the authority of law—considered either as the product of divine or natural forces or the wisdom and sagacity of some superhuman person,² are essentially Hellenic in character. "In the course of the ages", says Prof. Dunning, "most of these ideas either have passed entirely out of consideration or have been so modified as to lose the significance which Aristotle attached to them. But when we look further into his philosophy, beneath the general outlines determined by these Hellenic dogmas, we find a long series of principles which are as ultimate as human nature itself, and which, in almost the exact shape in which Aristotle formulated them, are features of political science at the present day".³ Writing in a similar strain, Prof Murray has stated, "Perhaps the most striking feature of the *Politics* is the extent to which, notwithstanding the very different political and social environment of ancient Greece, Aristotle succeeded in formulating the principles which are now generally accepted as the moral basis of democratic government. In so doing he demonstrated his greatness as a philosopher, for it required insight of a high order to recognize, within the narrow confines of the city-state, the operation of the principles which, many centuries later, have come to be accepted as the essential foundation of the democratic way of life".⁴ Those principles, which have been accepted as features of political science at the present day and which have become as the essential foundation of democracy, have given to his political philosophy a universal character.

1. W. A. Dunning, *Political Theories—Ancient and Medieval*, Vol. I, p. 93.

2. The Greeks treated their legislator as an all-wise man, a man of great sagacity and wisdom, who almost enjoyed the status of superhuman person.

3. W. A. Dunning, *op. cit.*, pp. 93-94.

4. A. R. M. Murray, *An Introduction to Political Philosophy*, 2nd edition (1959), p. 68.

3. *Universalism in Aristotle*: The one great Aristotelian idea having a universal appeal, and reflecting a good deal of sanity and modernity, is his conception of the sovereignty of law. This principle as a 'rule of law' has been accepted today by almost all democratic states and has been incorporated by them in their constitutional practices. The law representing as dispassionate reason and embodying as experience of the past was also accepted by the Middle Ages. To quote Prof. Ebenstein, "The Aristotelian concept of the rule of law became one of the dominant political ideas of the Middle Ages, during which political relations were largely based on customs. In modern times the concept of the rule of law has become one of the pillars of the constitutional edifice of the United States. In Germany the doctrine of the Rechtsstaat, that is, the state based on the rule of law, was one of the most civilising and liberalizing political influences in the 19th century".⁵ In England Prof. Dicey's formulation of the rule of law was based essentially on Aristotle's doctrine of the sovereignty of law. It may be rightly said that Aristotelian doctrine of the sovereignty of law is perhaps the most important legacy which he has bequeathed to the succeeding generations.

Aristotle's universality and modernity is again reflected by his doctrine of the golden mean. This, as Prof. Catlin says, has made Aristotle as "the philosopher of middle-class commonsense".⁶ By middle class he did not mean a small trader, but a "middling man of property, the peasant proprietor and the professional man". That class, according to him, is the best. As he quotes Phokulides :

The middle clan within the state

Fares best, I ween;

May I be neither low nor great

*But ev'n between.*⁷

This doctrine found its "echo in the 19th century and again, in German National Socialism".⁸ This doctrine also proved to be a precursor of the modern theory of checks and balances as embodied in the American and other constitutional practices. This doctrine is connected with that economic factor the importance of which Aristotle was never tired of emphasising.

5. W. Ebenstein, *op. cit.*, p. 33.

6. G. Catlin, *A History of the Political Philosophers*, 1st edition (1950), p. 81.

7. Quoted from Catlin's *A History of the Political Philosophers*, p. 81.

8. G. Catlin, as cited above, p. 81.

The importance that he attaches to the economic factor in influencing political organization and activity, reflects the permanent and universal side of his political philosophy. "From the theoretical point of view the validity of private property is maintained, and from the practical point of view the eternal friction between those who have and those who have not is made to explain many of the most conspicuous phenomena of government. On this turn his classification of forms, his adjustment of administrative machinery, and, to a very large extent, his explanation of revolutions. And from this is derived that doctrine which has been so impressively confirmed by later history, that stability and prosperity are most to be found where extremes of wealth and poverty are unknown and the middle class is the strongest".⁹

The ultimate problem of political science, i.e., the determination of the relations between the individual and the state has always attracted the attention of political scientists in every age. The problem is to constitute or establish a state without sacrificing the history of individuals. In other words, the problem is to reconcile between liberty and authority. The solution of this problem was provided by Aristotle, which later on was accepted as *fait accompli* by all serious thinking students of political science. His advocacy, that "political organization is inconceivable without the submission of one human will to another", and that "life in subjection to the constitution is not to be regarded as slavery, but as the highest welfare", has been accepted by all champions of individual rights and liberties.

His ideas on the establishment of social justice, based on the doctrine of proportionate equality, have become the slogans of all the champions of socialism and economic democracy. Realising the impossibility of the achievement of absolute equality in the economic sphere, the advocates of the welfare state have accepted the Aristotelian thesis as the last judgment on the establishment of economic justice in society.

Aristotle's emphasis on the utility of public opinion is essentially modern in character. He held that the collective virtue and political ability of the mass of a people was certainly greater than any part of the state. Consequently he insists that above the executive officers there must be "the impersonal factors in the constitution—namely, public opinion and customary law". The latter force he describes with perfect clearness; the former, though less distinctly defined, is

9. W. A. Dunning, *op. cit.*, pp. 96-97.

undoubtedly what he has in view in ascribing to the people as a whole the function of final judgment on official conduct and in defending the thesis that the opinion of the mass is preferable to that of the 'expert'.¹⁰ The Aristotelian influence is quite manifest in the recognition of the modern democratic principle that behind the legal sovereign there is always a political sovereign to which the legal sovereign will have to bow down. It again manifests itself in the recognition of the principle that it will certainly be in the public interest if the governmental acts of omissions and commissions are subjected to public examination and scrutiny.

There is a lot of resemblance between Aristotle's and modern theories of sovereignty. His doctrine that sovereignty in a state should reside in a determinate human superior whose will should be treated as supreme, affected very considerably the 19th century concept of sovereignty as enunciated by John Austin in his famous work 'Lectures on Jurisprudence'.

The importance that Aristotle attaches to the individual will always continue to make universal appeal. It is because of this importance that he gives to the individuals that Aristotle may be described as the father of modern individualism. His ideas on family and property as natural and necessary institutions for the development of individuality received widest support. His sober and sane individualism is reflected by his views on the sphere of the state activity. His statement that "state comes into existence for the sake of life but it continues to exist for the sake of good life", was a very significant declaration supporting the cause of the individual and explaining the duties of the state. Although he admits that a man has any personal value only as a member of the state, but the state is not treated as an end in itself but a means to an end, which is the highest good of its members. Unlike Plato, he admits that the fullest development of man's personality cannot be possible through a complete control on the part of the state. The business of the state is to allow its citizens to lead a complete life and for that the state should give considerable amount of freedom to its individuals. Although he does not question the absolutism of the state on grounds of expediency, yet he is not prepared to sacrifice the individual at the altar of the state. Since Aristotle has not treated the individual as a cog of the state machine, that shows his considerable liberality. "Though explicitly conservative, Aristotle's thinking was suffused

10. W. A. Dunning, *op. cit.*, p. 95.

with qualities that characterize the liberal temper, the open mind. In the twentieth century we have had the opportunity to learn again that there is perhaps no force so destructive, so deadly, to civilized life as fanaticism: it starts out with unbending certainty and reckless intransigence, and ends up, in the name of high ideals, with savage murder. Aristotle was not a fanatic".¹¹

4. *The influence of Aristotelian thought*: The combination of Hellenism and universalism that we find in the political philosophy of Aristotle is reflected by the Athenian influence. "For no other Hellenic state was so universal as Athens. In both things material and things of the spirit she sounded the depths and crowned the heights of human nature".¹² That is why we find the Aristotelian philosophy influencing many diverse systems of thought. As Prof. Dunning has stated, "In systems so diverse as those of military Rome of the theological Middle Age and of the materialistic modern era, the essential features of political organization and activity explicable, and actually explained, are on the laws of the Aristotelian analysis."¹³ Although prohibited for a time, the Aristotelian ideas exercised a great influence on medieval mind. St. Thomas Aquinas, a great supporter of the Church, was so much influenced both in his method and content of thought that he is rightly regarded as the 'Sainted Aristotle of Middle Ages'. Both the supporters of the state and the Church drew their inspirations from the writings of Aristotle. The authors of 'Defensor Pacis' and 'De Monarchia' exhibit their indebtedness to the writings of Aristotle. In the modern times Machiavelli was highly influenced by the 'Politics' of Aristotle, and his 'The Prince' is considered to be a commentary on Aristotle's theory of revolution. His political realism and idealism greatly affected the writings of Bodin, Harrington, Montesquieu, Hegel, Kant and Green etc. His liberalism conservatism, theory of education, and of the state, and the rule of law, are still the dominating features of the 20th century political thought.

11. W. Ebenstein, *op. cit.*, p. 34.

12. W. A. Dunning, *op. cit.*, p. 97.

13. W. A. Dunning, *op. cit.*, p. 97.

CHAPTER 24

“POST-ARISTOTELIAN THOUGHT :
A CHANGING SPIRIT”
THE EPICUREANS AND STOICS

“Plato and Aristotle were certainly too difficult, and in a sense too conventional to satisfy the new popular demands. They were philosophers for intellectuals ; and for this reason, though their prestige and their fame remained unassailable, the philosophy of the new period was provided by others, and was quite different from theirs.”

—Rex Warner.

1. *Introductory*: The death of Aristotle in 322 B.C. marks the close of an old, and the beginning of a new era in Greek political theory. “His death may be taken to mark the beginning of a period of extreme social and political disturbance, the character of which he seems quite to have failed to foresee, and which radically affected the course of political thought”.¹ The city-states after the death of Aristotle “ceased to be the centres of political life and became small units in the vast empire created by Philip of Macedon and Alexander the Great. This change in their status had

1. Rex Warner, *The Greek Philosophers*, 1st edition (1958), New York (U.S.A.), p. 138.

far-reaching consequences in the development of political thought. For it was obvious to everyone that the independence and power of the city-states had gone and that they would henceforth be small and relatively impotent units in a vast empire. Hence the citizens of these states felt that they had little stake in the shaping of their political destiny and sought within the ambit of their personal lives the keys to fulfilment and happiness".² It was inevitable, in these conditions, that there should have occurred an almost immediate movement away from the recent tradition of Plato and Aristotle. The works of Plato and Aristotle were too full of intricate logical argument demanding too high a devotion to abstract thought and to provide a possible basis for any popular creed. A movement bearing a practical and popular creed was highly needed and which, soon after the death of Aristotle, was reflected in the doctrines of the Stoics and the Epicureans.

2. *The Epicureans* : The Epicureanism can be called a 'creed' as well as a 'philosophy'. The founder of this creed or philosophy, whatever it is called, was Epicurus (341-270 B.C.). Son of a schoolmaster, Epicurus was "contemptuous of the productions of others and of all education other than that which he himself could afford". His advice to his pupil Pythocles is "Blest youth, set sail in your bark and flee from every form of culture".³ For a period of thirty-six years he carried his instructions in his famous "school of the Garden" in Athens where Epicurus lived with his group, and which he purchased for eighty minae (£260). He enjoyed the devoted affection of his pupils both male as well as female. He was the first to allow women to become members of his school of philosophy. Although most of his works have been lost, but an accurate account of his doctrine can be known from a poem 'On Nature' written by the Roman poet Lucretius, a contemporary of Julius Caesar. To Lucretius Epicurus was the greatest benefactor that mankind had ever known. This was because he had freed man from fear—from fear of the gods and from fear of what may happen to one after death. He has done this noble work quite simply, by explaining everything. There is no longer any room for doubt or perplexity. The nature of things is known and can be explained to

2. A. R. M. Murray, *Introduction to Political Philosophy*, 2nd edition (1959), London, p. 69.

3. Quoted from Rex Warner's *Greek Philosophies*, p. 149.

anyone who is intelligent enough to listen to the argument.⁴ Cyril Bailey in his study of Epicurus describes him as one of the most consistent thinkers and "the apostle of common sense". Democritus whose great learning had earned him the nickname of 'wisdom' and who, because of his ethical theory of 'cheerfulness' was called 'the laughing philosopher', was his true guide. But "far from taking over uncritically the doctrine of Democritus, he made considerable alterations in it, in order to bring it into line with his own ethical theory. Thus he founded one of the two philosophical systems which, from the end of the fourth century B.C. almost until the triumph of Christianity, continued to determine the minds of the educated".⁵

3. *The Philosophy of Epicureanism*: The philosophy of Epicureanism is highly individualistic in character. Epicurus, the founder of the school, sought to make human happiness and virtue independent of the political environment. That is why he advocated that "the conception of the state as a means to the good of the individual was no longer applicable, and that the rational man must find in his own resources the conditions of the ideal life". "Epicurus and his followers took cognizance of society and of the state, but only to emphasize the indifference of the philosopher in reference to them. Social and legal relations were explained as resting wholly upon individual self-interest, and upon the desire of each to secure himself against injury. Obedience to law, it was held, is rational only in so far as law promotes this end. Justice has no existence in the abstract; it inheres merely in some convention for mutual advantages".⁶ The Epicureanism asked the question, What is the key to rational living? "But, instead of the Stoic slogan *apatheia* (non-suffering), they gave their followers the maxim *ataraxia*—contented 'undisturbedness', 'untroubledness'".⁷ The wise man, the Epicureans declared, will have no part in political life unless his interests imperatively require it. Such life is burdensome and incompatible with the repose of spirit essential to an ideal existence.⁸ The

4. Rex Warner, *op. cit.*, p. 149.

5. *Ibid.*, p. 148.

6. W. A. Dunning, *Political Theories*, Vol. I, p. 103.

7. George Catlin, *A History of the Political Philosophers*, 1st edition, (1950), p. 117.

8. W. A. Dunning, *op. cit.*, p. 103.

Epicureans taught submission to any form of political authority whose business it was to establish peace and order in society. "To the devotee of this school it was a matter of total indifference whether the quiet which he demanded was due to smoothly working constitutional government or to efficient despotism".⁹ It was owing to this attitude that the Macedonian domination to the Epicureans was as good a political system as any other.

Another very important doctrine of Epicurean philosophy was "freedom from the fear of death and the wrath of gods". According to Epicurus, an individual is freed from the fear of death when one realizes the truth about the corporeal structure of the soul and how it is impossible for it to exist after the death of the body. As for the gods, so far from causing us terror, they are most agreeable objects to contemplate. They certainly exist, as is shown by the 'idols' which frequently visit men, particularly in sleep. But it can easily be demonstrated that they have nothing whatever to do with human affairs. They are far too happy to bother about us and they live, not in any recognizable heaven, but in the "spaces between the worlds".

After freeing the individuals from these great fears, Epicurus tries to explain as to how best we should live our life. According to him 'what men seek is pleasure and what they avoid is pain'. There is therefore no question of doubt at all that the 'end' of life is pleasure and nothing else. Since the standard of 'the good' is pleasure, no pleasure can be better or worse than another; it can only be greater or less. Again on the basis of sensation Epicurus comes to the conclusion that "the beginning and the root of all good is the pleasure of the stomach; even wisdom and culture must be referred back to this". The doctrine which the Epicureans have preached is as follows :

Eat, drink and be merry,

Nothing is to carry.

Dean Inge has rightly called Epicureanism as the 'Don't Care Philosophy'. In later ages Epicureanism tended to be the intellectual refuge of every sensual scoundrel. Its disciple, Horace, gives it in jest no good name by referring to *porci Epicuri*—'the pigs of Epicurus'.¹⁰ Its hedonism later on affected very considerably the political ideas of David Hume and the Benthamite theory of utility.

9. *Ibid.*, p. 103.

10. George Catlin, *op. cit.*, p. 117.

The Epicurean philosophy, though egoistic, is an entirely consistent one. "It can even be adjudged respectable, since Epicurus' own ideas of enlightened self-interest tend to observe the properties and to support orderly and efficient government. One can go further still and claim for the system a kind of austerity like that of the Stoics. It was Epicurus and not a Stoic who proclaimed that the wise man could be happy even on the rack".¹¹ More than two hundred years after the Master's death, says Prof. Warner, "when his ideas had become widely spread in Rome, we find on the one hand the ardent convert Lucretius and on the other hand such characters as Caesar and Cassius, whose notions of a quiet life were very different from those of Epicurus himself. This is certainly a sign of how wide was the appeal of materialism and of commonsense. The appeal is equally wide to-day and many of us are, one would imagine, Epicureans without knowing it".¹²

4. *The Stoics*: Another school of thought which came into existence after the death of Aristotle was represented by the Stoics. The school owes its foundation to Zeno of Citium, in Cyprus. (340-260 B.C.) who carried his teachings in the Painted Porch or Stoa of the market place at Athens. It has been told that Zeno possessed a very typical personality. He was flabby, thick-legged and fond of basking in the sun. According to Prof. George Catlin, this gossiping description was inspired by native Athenian malice against Zeno, who was a Phoenician, a nature not of Athenian but of Asiatic ancestry.¹³ "The Greeks, being Greeks, had no particular kindliness for their neighbours, even if philosophers".¹⁴ It is said that Zeno would illustrate the resulting 'grasp' of the truth by clenching his fist and by maintaining that when a man has the real intuition of the truth it seizes him as it were by the hair of his head and drags him with conviction so that he cannot escape.

The work of the Stoics was directed against the Platonic civic ideal as narrow and 'conventional'. "Like the Cynics and later the Puritans, the Stoics were at once equalitarians and aristocrats, profound spiritual snobs, as is shown by the excesses of the Slave-philosopher, Epictetus and by the priggery which disfigures the practical outlook of the admirable, worthy man, cursed with a criminal wife, the Emperor Marcus Aurelius, Slave and Emperor,

11. Rex Warner, *op. cit.*, p. 153.

12. *Ibid.*, p. 153.

13. George Catlin, *op. cit.*, p. 114.

14. *Ibid.*, p. 114.

they rejected unphilosophic, artificial, conventional distinctions of class".¹⁵ Its great followers in the Roman period were Cicero and Seneca.

5. *The Philosophy of Stoicism*: Like Epicureanism, the Stoic philosophy was also highly individualistic "Of the post-Aristotelian schools of philosophy there can be little doubt that Stoicism was the most influential".¹⁶ W. W. Tarn has gone to the length of saying that "the philosophy of the Hellenistic world was the Stoa : all else was secondary. What we see broadly speaking, as we look down the three centuries, is that Aristotle's school loses all importance, and Plato's for a century and a half, becomes a parasite upon the Stoa in the sense that its life as a school of scepticism consists wholly in combating Stoic doctrine ; Epicurus' school continues unchanged, but attracts small minorities ; but the Stoa... finally masters Scepticism, in fact though not in argument, and takes to itself enough of a revived Platonism to form that modified Stoicism or Eclecticism which was the distinguishing philosophy of the earlier Roman Empire".¹⁷

Stoicism was individualism, cosmopolitanism and social equalitarianism. According to Prof. Catlin, "It was a training school of the firm upper lip and discipline under pain, not because it sought woodenness as its ideal or denied the existence of pain but because it asserted as central its philosophy that Man, as autonomous in his Will, was master of his soul and hence captain of his fate".¹⁸ To the Stoics the only good was virtue and the only evil was vice. Virtue and vice were held to consist, respectively and primarily in right and wrong disposition of the will. The will was regarded by them as wholly and completely under the control of the individual. Hence they held that the attainment of the true good was wholly within the power of each individual. The Stoics also preached that "everything else, everything that did not fall within the sphere of his absolute control, was to be treated with indifference—pain and pleasure along with the rest" The Stoics held that though the "wise man would desire nothing but the right disposition of his own will", yet he would choose to act "in accordance with nature".

15. George Catlin, *op. cit.*, p. 115.

16. Rex Warner, *op. cit.*, p. 165.

17. W. W. Tarn, *Hellenistic Civilization*, London : E. Arnold and Company ; New York : Longmans, Green & Co., 1927, p. 266.

18. Catlin, *op. cit.*, p. 114.

A life in accordance with nature was interpreted to mean two things. Firstly, he would justifiably seek the fulfilment of his simple, 'natural' human instincts ; and, secondly, because the mankind was 'naturally' one family, he would seek to serve his fellowmen. The Stoics also held that "each man, in a figure which they frequently employed, was assigned by Nature to his particular role which set him in relation with other men ; and it was 'fitting' for him to play this part to the best of his ability—though strictly, except in so far as it affected his own virtue, he should be wholly indifferent as to the outcome".

To the question why a man should act in accordance with nature, it was answered by the Stoics "that Nature is Reason—the same Reason which every man recognizes as the highest part of himself ; to the further question what reason required him to do, it was answered that he should play out the part that was assigned to him whether the outcome was agreeable to him or not, remembering that everything but virtue is really indifferent, and that everything that occurs has its place in Nature's grand design". "A life according to nature meant for them resignation to the will of God, co-operation with all forces of good, a sense of dependence upon a power above man that makes for righteousness, and the composure of the mind that comes from faith in the goodness and reasonableness of the world".¹⁹ The Stoics had immense faith in the rationality of men. They held that man was rational and that God was rational. Men are the sons of God and, therefore, they are brothers to one another. Since every man is endowed with reason, so every man is equal. "Hence there is a world state. Both gods and men are citizens of it, and it has a constitution, which is right reason, teaching men what must be done and what avoided. Right reason is the law of nature, the principles, binding on all men, whether ruler or subjects, the law of God". According to the Stoics, "There are two laws for every man : the law of his city, which is the law of custom ; and the law of the world-city which is the law of reason. Of the two the second must have the greater authority, and must provide a norm to which the statutes and customs of cities should conform. Customs are various but reason is one, and behind variety of customs, there ought to be some unity of purpose". "Stoicism is thus tended to conceive of a world-wide system of law having endless local branches. It diminished the importance of social distinctions between

19. G. H. Sabine, *A History of Political Theory*, 3rd edition (1949), pp. 135–36.

individuals, and tended also to promote harmony between states".²⁰ It, thus, according to Prof. Dunning, "brought into prominence the fateful doctrines of natural law and cosmopolitanism...Cosmopolitanism, in fact, expanded into humanitarianism. The dignity which at first was ascribed exclusively to men of specially exalted intelligence came to be ascribed, in theory at least, to all who possessed human nature. Such a tendency could not produce very important results in a society based upon the institution of slavery".²¹ It is, however, to be noted here that the Stoics did not actively oppose slavery not because that slavery was in accord with nature but because, according to them, the man's inward life was more important than man's outward status.²²

The Stoic philosophy enjoys a position of great significance in the history of political thought. It established in very clear terms the notion of the equality of men. It set forth the concept of the law of nature which later on became the basis of Roman jurisprudence. The phrase 'Citizen of the World' was coined by the Stoics for the first time. The ideas of universal brotherhood of men, and world government are definitely the legacy of the Stoics. It laid emphasis on the acquisition of ethical values which consisted in living according to the dictates of right reason. The special importance of the Stoic philosophy lies in the fact that it "made a strong appeal to educated Romans of the second century and thus became the medium by which Greek philosophy exerted an influence in the formative stage of Roman jurisprudence".²³ The political thought of Christian, medieval and modern era could not escape its influence. "Christianity took over and adapted these doctrines, that were represented both in theory and in fact in the Roman Empire, and transmitted them, with the profoundest results, to modern times".²⁴ There is, in fact, something very interesting, appealing and touching which could become the cause of its universal acceptance. "The length of its life as a more or less organised body of doctrines, the number of its distinguished adherents in later antiquity, and indeed the frequent recurrence in all periods of characteristically Stoic attitude, all imply that Stoicism is able to satisfy some deep and constant

20. C. H. Sabine, *op. cit.*, p. 137.

21. W. A. Dunning, *op. cit.*, pp. 104-105.

22. C. H. McIlwain, *Growth of Political Thought in the West*, 10th edition (1957), p. 98.

23. G. H. Sabine, *op. cit.*, pp. 132-33.

24. W. A. Dunning, *op. cit.*, p. 106.

25. Rex Warner, *op. cit.*, p. 165.

CHAPTER 25

THE POLITICAL LEGACY OF ROME

In general development of political thought the importance of Rome is very great but this importance results from no striking originality, nor from any considerable new Roman contribution to the world's stock of political ideas; It is owing almost wholly to the great practical part that Rome played in laying the legal and political foundations of the Western world, and in her transmission of ideas learned from Greece to the rising peoples of Western Europe which were brought within the sphere of her culture as a result of the marvellous extension and duration of her dominion".

—C. H. McIlwain.

1. *Introductory* : The glory that was Greece was no more. The spell of Plato and Aristotle had disappeared without much material influence. Delicate philosophical ideas devised by the soaring political genius of Plato and the practical and scientific mind of Aristotle had lost their sway, and ceased to make any appeal. The scene was dominated by the Epicureans and the Stoics whose political ideas served as a basis for that exact, and matter of fact, philosophy which was the creation of the Roman mind. "Stoic apathy, Epicurean self-contentment and sceptic imperturbability, all

contributed to the creed of educated Romans of the later Republic, but on the political side the contribution of the Stoics seems to have outweighed the others".¹ The Stoic creed as Mommsen says, "was really better adapted for Rome than for the land where it first arose". "The leading feature of the system came more and more to be its casuistic doctrine of duties. It suited itself to the hollow pride of virtue, in which the Romans of this period sought their compensation amidst the various humbling circumstances of their contact with the Greeks".² The social and political conditions of the Roman period came to correspond most clearly to the Stoic ideals. The Stoic ideals of universal law and universal citizenship with the Romans became practical facts. "Primarily these results were due to the military and administrative genius of the Romans, and were not in the least determined by abstract philosophy".³ Preached by Seneca and Cicero, the doctrine of the universal brotherhood of man necessarily became more a fact than a fiction. "The conception of a law of nature and a principle of justice common to all men became prolific in practical fruit when accepted and developed by Papinian, Paul and Ulpian, who were successively chief justices of the Empire, and whose opinions had the force of law throughout the civilized world".⁴ The Roman mind was essentially legal and not philosophical. It is a fact of history that human mind in different ages has always worked differently, and has been conditioned by different types of environments. The greatest problem, with which the Romans were faced, was to evolve a common system of law which could deal with the clash of interests, where Roman citizens and citizens of different nationalities governed by a different system of laws and later conquered by the Romans, were involved. Consequently, the best Roman brain went to jurisprudence than to political philosophy. This gave a great impetus to legal thought in Rome. It is for their contributions in the legal field that the Romans are so famous even to this day.

2. *The Roman legal system* : The Roman law was Rome's greatest gift to humanity after the political legacy of the Greeks. It was, as it were, the mental and articulate expression, the conscious

1. C.H. McIlwain, *Growth of Political Thought in the West*, 10th edition (1957), New York, The Macmillan Co., pp. 105-6.

2. Mommsen, *History of Rome*, Vol. IV, pp. 201-4 (quoted by C. H. McIlwain).

3. W. A. Dunning, *Political Theories*, Vol. I, pp. 105-6.

4. *Ibid.*, p. 106.

spirit, of the Roman Empire. Its basis is essentially philosophical as provided by the Stoics, but its contents are essentially Roman. Therefore, very much unlike the Greeks, it becomes both a command of the Prince as well as a dictate of right reason. It can, therefore, rightly be said that the deficiency of the Greek law was made up by the Romans by giving it a practical character. Thus "the soldierly Romans became practising philosophers, although their philosophy was Greek and second-hand".⁵

The Roman legal system is the result of a slow and gradual growth. Rome, in the beginning, like any other country of the world, was governed by ancient tribal law as the religious prerogative of born clansmen. It was not to be disobeyed by any citizen without committing an act of sacrilege. Majority of the Roman laws at that time were based on customs and rules of equity. The Romans, then, had hardly made any distinction between religious precepts and customary laws of the land. It was near about 450 B.C. that the Romans started making distinction between them, and they also started codifying the ancient Roman laws based on rational customs and traditions of the time. It was after such a codification that the famous Twelve Tables came into existence. This codification proved to be very beneficent because it made the Roman laws systematic and definite and clear in their expression. It led to the curtailment of the powers of the nobles who up to this time were the sole expounders and administrators of laws, and who very often interpreted the laws to serve their own selfish interests. The Plebians or the common people of Rome, now, came to know of their laws administered by patrician magistrates. It was not only the customary laws but also those, which later on were passed in their favour, were also codified and systematically recorded. Consequently, it lessened the constant conflict that raged between the patricians and the plebians. This gave a great solidarity to the Roman constitution and impetus to the legal thought in Rome. The divine and the customary laws were now replaced by secular and state-made laws. Thus, the Twelve Tables came to represent the entire private law of Rome. The deficiency of the system was, however, made up by adding new types of laws framed, of course, by the legislature with the due consent of the public. This process gave birth to the idea that the Roman laws were the representatives of the will of the state.

5. George Catlin, *A History of the Political Philosophers*, p. 129.

As Rome grew into a great empire, the legal system represented by the Twelve Tables was found to be wholly inadequate. Difficulty arose, particularly, when the Roman magistrate was required to administer justice between citizens and aliens. It is a principle of general importance that international law ever grows out of the needs for commercial law. And, although the Praetor might be guided in his decisions by private judgment and none could say him no, elementary considerations of reciprocity led to the finding of these principles in the common customs of the trading peoples of the Western Mediterranean Basin trading with those of Rome. Special praetors were appointed to administer justice between citizens and foreigners. These praetors could not apply alien law nor could they apply the municipal law of Rome to deal with such cases. These special praetors, therefore, added together legal principles which were common to Rome and her alien subjects. They modified them wherever they deemed it necessary and, thus, they created a new legal system which came to be called as *jus gentium*—('right of nations', or, equally, 'law of peoples'). The man who is said to be chiefly responsible for the growth of *jus gentium* was Praetor Perigrinus. Under the *jus gentium* were included "all the various systems which, by the edicts of successive praetors, had developed in the court for aliens at Rome and in the provinces. Out of this enormous mass and most diverse local and racial customs and ideas, the Jurists were called upon to determine which conformed to the general principles that should be applicable to the whole Empire. This task called for the profoundest consideration of the ultimate nature of rights and justice". The general principles of natural equity, customs and laws common to all nations subject to Rome, representing abstract principles of justice and dictates of right reason of universal application gave birth to the idea of a Law of Nature i.e., *jus naturale*. It was also owing to the fact that the greatest of the Roman jurists were of Stoic tendencies and the basis of their work were the characteristic doctrines of Stoic philosophy.⁶ The Stoic had already propounded the doctrine of law of nature which now came to assume a concrete shape. "Because the ideas and usages of the many peoples subject to Rome were found to have much in common, the *jus gentium*, or totality of these ideas and usages, came to be regarded as identical with the *jus naturale*, and

6. W. A. Dunning, *op. cit.*, p. 127.

as an actual embodiment of that natural reason, which was the chief element in natural right.⁷

In origin the term *jus gentium* belonged to the lawyers, while *jus naturale* was a rendering of Greek philosophical terminology. Both the terms in the beginning were treated as identical, but "as time went on the lawyers apparently saw a reason for distinguishing *jus gentium* from *jus naturale*. Gains, writing in the second century, continued to use the terms synonymously but Ulpian and later writers in the third century made a distinction, as did also the lawyers who prepared the institutes in the sixth... The main point upon which *jus gentium* and *jus naturale* are distinguished is slavery. By nature all men are born free and equal, but slavery is permitted according to the *jus gentium*".⁸

The legal system of Rome now became more liberal and comprehensive after the assimilation of both the *jus gentium* and *jus naturale*. The development of this legal system continued, however, for a much later period. Another addition to this legal system was made by the legal opinion of the jurists. What happened was that all legal appeals were sent to Rome wherefrom the Sovereign sent them to the jurists for answers. These answers and responses of the jurists came to be regarded as good as any other laws. "These jurists had to lay down general principles of universal application and were responsible for the creation of a scientific system of jurisprudence including the celebrated Code of Justinian".

The code of Justinian is the most famous and earliest complete codification. It was completed in 529 A.D. by a group of jurists who were headed by Tribonian. It was codified during the time of Emperor Justinian. (527-65 A.D.). "Nothing so monumental has been produced since, until the Code Napoleon, drawn up under the directions of the jurist Cambaceres".⁹ In the Code of Justinian were co-ordinated and condensed the Perpetual Edict and subsequent edicts of the Roman Emperors. It was a very comprehensive code and influenced very greatly the legal system of entire Western Europe. It is rightly said about the code that "if there is anything besides the life of Christ and the teachings of Bible, which has most profoundly influenced and moulded western civilization, it is the *Corpus Juris* or the Code of Justinian". The Code of Justinian includes the following :

7. *Ibid.*, p. 128.

8. G. H. Sabine, *A History of Political Theory* (1949), p. 152.

9. George Catlin, *op. cit.*, p. 129.

(1) The Institutes was largely based on the earlier work of the eminent jurists like Gains, Marcian and Florentinus. These celebrated jurists collected their opinions on various legal problems and these collected opinions later on came to have the force of law because they represented the best legal mind of the Roman world.

(2) The Digest or the pandects of the *Responsa jurisprudentium* which contained select passages from the legal pronouncements of the eminent lawyers, included Greek material of as much as 1,300 years earlier—106 volumes condensed into five and a half. "In the pandects and Institutes can be detected the influence of Stoicism with its Cynic equalitarianism. Here is to be found the famous maxim, as basic to just law : "Quoad jus naturale omnes homines aequales sunt". (Ulpian)—"So far as natural law pertains, all men are equal".¹⁰

(3) The Code of Justinian also included a collection of imperial laws and decrees relating to public and private laws collected from the earliest days of the Empire.

(4) The Novelli represented a collection of the laws of Emperor Justinian himself. The political philosophy which was embodied in this legal system of Rome was simply "a repetition and elaboration of the theories found in Cicero".¹¹

The collection of all these works is known as "*Corpus Juris*". Even up to this day the continental Europe is under its shadow. On European civilization its influence has been next to Christianity as we have mentioned above. It is said that sixty generations of Europeans have benefited themselves by this Code.

3. *Salient features of Roman legal system* : As we have already mentioned, the philosophical basis of Roman law was Greek. "Among the Greeks the ultimate sanction of law was deemed to be religious or ethical ; the idea of law as juridically sanctioned command of a definite human superior never took form in the Hellenic mind. The Romans, however, brought law down from the clouds. They had an empire to administer, and little time to waste on vaporous theories. To reconcile law with ethics and religion, throughout their polyglot domains, was manifestly impossible ; so that they did the practical thing—divorced law from ethics and religion. Roman citizens and subjects were bound to obey the law,

10. *Ibid.*, pp. 129-30.

11. G. H. Sabine, *op. cit.*, p. 151.

not primarily because it was just, right, consistent with ethical principles, or sanctioned by religion, but because it was the command of the supreme political authority speaking the will of the body politic".¹²

Besides the positive character of the Roman law, its another great salient feature was its slow and gradual growth. The Roman laws were worked out step by step through the hard and continuous labour of many generations of magistrates and jurists. "As the poet says of the English Constitution, they were 'broadening down from precedent to precedent', slowly expanding to meet changing social-economic needs in a sure and gradual development scarcely matched in the whole history of human institutions for the length of the process or the permanence and solidity of the result. It may be said that the Romans have fixed for all time the categories of juristic thought... It was established not by the genius of one man but of many, nor for the life of one but for ages. The Greek genius produced a theory of the state and of law, Rome above all developed a scientific jurisprudence".¹³

Another and perhaps the best feature of the Roman legal system was its liberalism. "With the expansion of Rome several new ideas were introduced which widened and liberalized the Roman law, making it specially well-fitted for the government of a world-empire and enabling it, after the fall of the empire, to serve as the basis for the legal system of Europe. Through the incorporation of the ideas of the *jus gentium* and the *jus naturale* into legal thought, Roman law ceased to be a narrow and rigid system, applicable only to a particular people in a single city, and became a broad and general system of jurisprudence suitable for the government of a world-state, and liberal enough to serve as the basis for the jurisprudence of diverse types of states for many centuries. From Roman jurisprudence the idea of natural law passed into the literature of the Middle Ages, identified often with the Christian conception of the universal divine law implanted by God in the hearts of men. The organization of the Roman Catholic Church and its system of canon law were based upon Roman legal ideas. When the study of Roman law was revived toward the close of the Middle Ages, the Roman dictum that the will of the prince is the source of law,

12. C. C. Maxey, *Political Philosophies*, p. 81.

13. C. H. McIlwain, *op. cit.*, p. 121.

separated from the Roman idea that the prince is the agent of the people, was used as the basis for the theory of the sovereignty of the national king. The Stoic doctrines of the jurists that by natural law all men are born free and that all men are equal in natural rights were revived by the opponents of royal authority in building up the theory of social contract and natural rights that served as the basis for revolution and democracy. Besides, the concept of *jus gentium* and *jus naturale* played an important part in the creation of the theory of international law as finally worked out by Grotius".¹⁴

4. *The Roman theory of Imperium* : The authority to issue commands and compel obedience was called by the Romans as *imperium*. In the beginning this power resided in the Roman king who wielded absolute power which was unchecked by any authority. The people had no share in the exercise of this power. After the death of the king, the *imperium* passed on to his successor. During the Republican days the exercise of *imperium* was divided among a number of officers who were held accountable only after their retirement. Since the officials of the state were held accountable to the people, it shows that the *imperium* during the Republican days resided in the people organized in their assemblies. The people themselves decided as to whom the authority was to be delegated and the manner in which it was to be divided among the magistrates. And having once delegated it to one or more officers, they could not withdraw it, and had to respect and obey them. In this way there arose the theory that sovereignty belongs to the people.

Even during the imperial days, the emperors received their authority, at least in theory, from the citizens. They "acted as their agents, and were responsible to them for exercise of their duties. The will of the emperor had the force of law because, in theory, the people had delegated to him their entire authority".¹⁵ What prevented the wielder of this *imperium* from acting tyrannically was the feeling that it was a trust and had to be used for the welfare of the people. All citizens, according to this conception, had equal political rights, and in the citizens as a body was vested the ultimate sovereignty of the state. This indicates the belief of the Romans in the theory of popular sovereignty. This general point of view was always present in Roman political thought.

14. R. G. Gettell, *History of Political Thought*, pp. 71-72.

15. R. G. Gettell, *op. cit.*, p. 65.

The doctrine of imperium has a great significance in political theory. It is through this conception that "the Romans separated state and individual, each having definite rights and duties". The state was treated, according to this conception, a "necessary and natural framework for social existence". The individual, rather than the state, was made the centre of legal thought, and the protection of the rights of the individual was considered to be the main purpose for which the state existed. "The state was thus viewed as a legal person, exercising its authority within definite limits ; and the citizen was viewed as a legal person, having rights which were to be safeguarded against other persons and against illegal encroachment by the government itself".¹⁶

Through this doctrine, again, the Romans developed "the idea of a governmental contract, by which the authority of the people was delegated to the public officials". It was also established that once the magistrate was chosen his power "within his legal duties was complete, the people having no right to withdraw the powers which they had conferred. The Romans recognized no right of revolution. Their idea of the governmental contract was similar to that held by Hobbes, rather than that of Locke ; and as in the case of Hobbes, they used the doctrine to justify autocratic government".¹⁷

5. (a) *Polybius* (204-122 B.C.)—(i) The fame of Polybius, who was a Greek hostage, rests upon his famous work 'History of Rome'. He wrote his 'History of Rome' to show her greatness and to find out and enunciate the cause of this greatness. He was born in Megalopolis, in Arcadia, leading state of the Achaean League. He was a promising young statesman who had rendered illustrious public service to the Achaean League, a confederation of city-states, and the chief political power in Greece at that time. With the accomplishment of the Roman conquest the eminent men of that party, suffering under false charges made by the radical pro-Roman leaders of the League, were taken as hostages to Rome. Among them, who were taken as hostages to Rome, Polybius was one. "In Italy the experience and ability of Polybius were recognized and utilized. He was sent to Greece on a mission of mediation between Rome and the Achaeans. Though this mission was fruitless, he was subsequently representative of the Roman government in the reconstruction of Greece. Most of his later life,

16. *Ibid.*, p. 63.

17. *Ibid.*, p. 68.

however, he spent in scholarly leisure, enjoying the friendship and patronage of Roman statesmen—particularly of Scipio Africanus, the Younger”.¹⁸ “He travelled widely in military and diplomatic missions, in Europe as well as in Asia. His rich practical and scholarly experience reflected in his Histories, written in forty books, of which the first five are fully preserved, and the remaining thirty-five in fragments”.¹⁹

(ii) *Polybius as a great Historian*—Polybius as a historian enjoys a very great name. He is recognized, next to Herodotus and Thucydides, as the greatest Greek historian. On account of his long and intimate association with Roman politics and statesmanship and the Greek intellectual background of keen observation, he could produce a first universal history which is of great importance to a student of political transformations. His happy blending of hereditary environment of philosophic Greece with his own political experience proved to be extremely helpful to the posterity. His ‘History of Rome’ contains a very accurate and scientific analysis of political events and covers a period of 53 years only beginning from the Second Punic War (219 B.C.) to the conquest of Macedon by Rome in 167 B.C. This was, however, a very critical period in which Rome had risen from a small state to the position of a world empire. “The motive of his History was to explain the greatness of Rome, to trace the steps by which Rome had become the ruling power in the world and to describe the manner in which control over her vast dominions was exercised”.²⁰ Polybius was the first historian “to apply the institutional method to the study of politics” and “to examine the institutional fabric of a state as the chief determining factor in the formation of national strength”. His chief purpose in writing this book “was to enable students to understand why it was that the whole world fell under the power of Rome in the short space of less than fifty-three years”.²¹ His conclusion at the end was that Rome had achieved all that greatness owing to her exceptionally stable system of government. His scientific mode of investigation, “his discussion on historian’s ideals, his delineation of Roman political institutions and the scope of his judgement and

18. F. W. Coker, *Readings in Political Philosophy*, 15th edition (1957), p. 113.

19. W. Ebenstein, *op. cit.*, p. 35.

20. R. G. Gettell, *op. cit.*, p. 72.

21. C. C. Maxey, *op. cit.*, p. 83.

the part played by 'Fortune' in human affairs are glistening features of his high intellect". It is this scientific treatment of such a vast subject matter that has made his work much more than a mere chronological history.

(iii) *Cycle of political Change*—In his 'History of Rome', Polybius discusses the origin of the state and describes the various types of government and the natural cycle of political change. Like Plato and Aristotle, Polybius also accepts the six-fold classification of monarchy, aristocracy and democracy with their degenerated forms of tyranny, oligarchy and mobocracy. "Even more keenly than Aristotle, he was aware that each form carried within itself the seeds of its own degeneration if it were allowed to operate without checks and balances provided by its opposing principles". The earliest form, according to Polybius, was monarchy. But as the monarch assumed arbitrary power and ruled unjustly, it degenerated into its corrupt form, which is tyranny. Aristocracy like monarchy developed its inherent defect, oppressed the people, and hence degenerated in oligarchy. Democracy, again, like aristocracy, resulted in the rule of ignorance, and incompetence, and hence degenerated into mobocracy or mob rule of force and violence. The excesses of the mob-rule bring into prominence some bold leader, who secures for himself autocratic power and gains popular support. It is in this way that a cycle of change in the system of government continues without any check or interruption.

(iv) *Mixed form of Government*—Polybius believed that if the better elements of all these three forms are combined in the working of government it would insure stability and minimise the chances of instability. It would pacify the antagonism and the whole energy would be fairly utilized for the betterment of the state. Polybius, in this connection, cites the example of Lycurgus, how he had done the same thing for Sparta. He also analyses "the constitution of Rome, showing that, by combining elements of the various forms of government and establishing a system of checks and balances among the different organs, Rome was safeguarded against the decay that inevitably destroyed the simple type of state. In the Roman constitution the monarchic principle was represented by the consuls, the aristocratic element was represented by the senate and the popular assemblies represented the democratic. Each of these elements exercised some kind of check or control over the others. No one was allowed to function independently without the consent of all. Thus an elaborate system of checks and balances was

created... Polybius was the first writer to make a clear statement of the advantages of a mixed form of government, and of the principle of checks and balances in constitutional organization. These conceptions were recognized in theory and in practice in later periods, and in a slightly changed form remain valid in modern political thought".²²

(v) *Importance of Polybius*—In the history of political thought the importance of Polybius is very great. In his 'History of Rome' he "paused to discover the essential principles of the system of government at Rome, in order to account thus for the dizzy height of power to which she had risen. The result of his investigation has had an important influence on later political theory".²³ There is no doubt that Polybius idealizes the political morals of his Roman conquerors, but it is, however, a fact that the general principles of his political reasoning are as valid today as they were in his own time. Polybius' influence on Cicero assured him of a popular audience in antiquity, and later on, too, because Cicero was for a long time one of the most widely read ancient authors. In the Middle Ages, Polybius' main ideas are traceable in thinkers as diverse as Marsilius of Padua and St. Thomas Aquinas, and in the modern era Locke and Montesquieu added new weight to the doctrine of the balance of power. In the history of the United States, in particular, Polybius played an important intellectual role in the drafting of the constitution. The political leaders of the formative era, Jefferson, Adams, and many others were thoroughly familiar with Polybius, and they used his ideas in framing a constitution based on the principle of checks and balances, of liberty through limited government".²⁴

(b) *Cicero (106-43 B.C.)*—(i) He was a principal philosopher of the Roman Age. He was the only Roman native who wrote so extensively on the questions of political theory. In the history of political thought he occupies an outstanding position. In his 'Defence of Constitution', John Adams has paid a very glowing tribute to the political geniuses of Cicero, "As all the ages of the world have not produced a greater statesman and philosopher united than Cicero, his authority should have greater weight". Cicero was a very prolific writer and he wrote on different branches of knowledge—rhetoric, oratory, ethics and

22. R. G. Gettell, *op. cit.*, pp. 73-74.

23. W. A. Dunning, *op. cit.*, pp. 114-15.

24. W. Ebenstein, *op. cit.*, p. 37.

political philosophy. "In his theoretical writings his primary object was, not to create a new philosophy, but rather to make better known and understood by his fellow-countrymen the ideas of the classical and Stoic writers of Greece, and to show how those ideas could be practically applied in Rome".²⁵ His political thinking was so much influenced by the Stoic ideas, that it came to be identified completely with the Stoic philosophy. It is, therefore, rightly observed that Ciceronianism is nothing but Stoicism writ large.

His political works appear to be a close imitation of Plato and Aristotle. But this imitation is more apparent than real. When we actually examine the inner meaning of Cicero's political philosophy, we find "a remarkable freshness and difference". The most important difference that we note between Cicero and Plato and Aristotle is that "Cicero had a sense of the world, whereas Plato and Aristotle were never able to go beyond the conception of the city-state as the ultimate in political organization".²⁶ Another great difference between Cicero and Plato and Aristotle was that both the Greeks "had no place for mankind in their political theories; the world was divided in Greeks and others, who were barbarians and—as Aristotle clearly avowed—inferior to cultured Greeks, who had the right to enslave them. By contrast, Cicero had a more universal outlook, fostered by his political and administrative experience in Rome and the empire, and also fed by the springs of Hellenic Stoicism, which had spread throughout the Mediterranean basin".²⁷

(ii) *Philosophy of Cicero*—The political philosophy of Cicero has come down to us through his two famous works (a) *De Republica*, and (b) *De Legibus*. The former work resembles with Plato's work of the Republic, although the views of Cicero are absolutely different from those of Plato. This work of Cicero deals with the origin and nature of the state, the forms of government and the part played by Justice in them. Since Justice is the main theme of 'De Republica', it led St. Augustine to remark that the work was "a keen and powerful defence of justice as against injustice". The 'De Legibus' resembles with the Platonic work, 'The Laws'. In this work Cicero explains his views about law. But the laws which have been referred to in this work are generally Roman instead of Greek. The doctrine of equality, which he has expounded in this book, receives a thorough exposition at the hands of Cicero.

25. F. W. Coker, *op. cit.*, p. 129.

26. W. Ebenstein, *op. cit.*, p. 40.

27. *Ibid.*, p. 40.

(iii) *Meaning and origin of the state*—To explain the meaning and origin of the state Cicero starts with a statement, “*Res-publica* is *Res-populi*”, meaning thereby that the affairs of the state are the affairs of the people. But the state is not merely an assemblage of men brought together in any fashion whatever. It is, however, “an assemblage of many, associated by consent to law and by community of interest”. It exists for the enforcement of law for the common good. Based on such a law, the state is to be regarded an ethical community. If the state does not become an ethical community for ethical purposes and unless it is held together by moral and ethical ties, it is nothing. In the absence of such an end, the state, as St. Augustine says, will become a “highway robbery on a large scale”. The state may be tyrannous and may rule with brute force, but the moral law will continue to make morality possible and if it does not do so, the state loses its reason for existence, as well as its real character. Judged in the light of this conception the state is that association or assemblage of human beings who are associated and united together by a common agreement about law and right and by the desire to participate in mutual advantages. Explaining the reason of its coming into existence, Cicero says, that the prime cause of their coming together is not weakness but rather a sort of natural affinity for each other because they are endowed with the instinct of gregariousness which is inborn.

(iv) *Plan of the state*—After explaining the nature and origin of the state, Cicero tries to explain, what he calls, the plan of the state. If the state, he tells us, wants to endure and lead a long life, it must be directed according to some plan. The distribution of the governmental power will serve as the basis of the plan. The direction of the government may be entrusted to one person, chosen ones or the multitude of people. According to this direction, the form of government will respectively be kingdom, aristocracy and democracy. Like Aristotle, in his reflections on the various forms of state, he follows the ‘principle that the distinguishing criterion is the end of the state’. If the machinery of the state is directed according to justice, the forms of government will remain the same. But when the purpose of administration is not justice, the forms of government may degenerate into tyranny, oligarchy and mobocracy. But this plan of the state, according to Cicero, is not very satisfactory : (a) What happens in kingdom the subjects are too much deprived of common right and of participation in counsels. (b) Under aristocracy the multitude can scarcely be a sharer in liberty when excluded

from all common counsel and power. (c) If all things are under popular control, though just and moderate, yet the very equality is evil since it recognizes no gradation of merit. All these three unmixed, he says, have serious drawbacks. A fourth kind of republic is the best which is the mixture of all the three elements, the monarchic, aristocratic and democratic. Of the three, kingship is the best. But better than kingship is another form which is composed of all the three elements. "Cicero, therefore, considered a balanced combination between kingship, aristocracy and democracy, the best constitution; his belief in the virtues of the mixed constitution went back to Aristotle, but it was also a lesson of Roman political history that an astute observer like Cicero could hardly have missed".²⁸

(v) *Justice in the State*—As the scheme of government is necessary for the maintenance of a state, it is almost equally true to say that without the highest justice no republic under any conditions can be maintained. Cicero has devoted a large portion of the 'De Republica' to the discussion of justice. Justice, according to him, consists in acting according to the law of nature which is the dictate of right reason. Since every man has been endowed with reason, therefore, every man is equal. Justice, therefore, to Cicero, consists in providing equality of opportunity to all and to restore and give everyone his right. Addressing the Roman people in this connection, he says, "Let the Romans if they wish to be just restore what they have seized from other peoples and sink back to the state of poverty and wretchedness from which their conquests raised them". Protection of rights, according to Cicero, is the very basis of justice. Mutual fear and distrust become the very cause of their insecurity. Writing in this connection, Cicero has observed at one place, "One man fears another, man against man, order against order, and no one dares trust to himself—a kind of pact is joined between the people and it is only from this that arises that thing, a united form of state. Therefore neither nature nor volition is the mother of justice, but defencelessness". Writing in this very connection, at another place he observes that wisdom prompts us to enlarge our wealth and power, justice urges us to spare others and respect their rights and goods. Wealth, power and honours, public and private, are the rewards of following the promptings of wisdom; while the just man, pillaged and in chains, is reduced to the last

28. *Ibid.*, p. 41.

extreme of poverty and misery. "Who then is so mad as to be in doubt which he should choose ? And what is true of individuals is true of peoples. There is no state stupid as not to prefer ruling unjustly to serving justly". It is this psychological make-up of both individuals and nations that creates a threat and danger to the existence of their rights. It is this state that necessitates the existence and observance of that law of nature which determines the conduct of both individuals and nations and prevents them from falling into the state of war and wretchedness. To Cicero, justice consists in acting according to this law and feeling one with another. It is on the basis of this law of nature that Cicero preached the doctrine of the universal brotherhood of men and suggested that all civil and constitutional laws must be based on this very law.

(vi) *Cicero's conception of law*—In his 'De Legibus', Cicero discusses his conception of law. True law, according to Cicero, is the law of nature, which is the dictate of right reason. This law is eternal and immutable. It shall embrace all peoples and for all time. This law is same everywhere, unchangeable and binding upon all men and all nations. No legislation that contravenes it is entitled to the name of law, because no ruler and no people can make right what is wrong. In this connection Cicero has stated his position as follows :

"There is in fact a true law—namely, right reason which is in accordance with nature, applies to all men, and is unchangeable and eternal. By its command this law summons men to the performance of their duties ; by its prohibition, it restrains them from doing wrong. Its commands and prohibitions always influence good men, but are without effect upon the bad. . . The man who will not obey it will abandon his better self, and, in denying the true nature of a man, will thereby suffer the severest of penalties, though he has escaped all the other consequences which men call punishment".²⁹

In putting forward and pushing too far this conception of eternal and universal law of nature, the attempts of Cicero were directed "to find the element of rational perfection in the moribund institutions of the republic".³⁰ He regarded this law as the very

29. Quoted by F. W. Coker in his *Readings in Political Philosophy*, from the *Republic*, Book III.

30. W. A. Dunning, *op. cit.*, p. 125.

basis of civilized life. He linked the very idea of this law to positive laws of the land, "without which existence was impossible for a household, a city, a nation, the human race, physical nature, and the universe itself". Cicero's conception of law—a law, which is enforceable through right reason only and which does not need any formal authority and compulsion, is of a very high order. In fact, he finds the foundation of this law in "our natural inclination to love our fellowmen". This aspect of Cicero's philosophy "exercised a profound influence on the early father of the Church. At the beginning of the Middle Ages he was perhaps more widely read and quoted than other ancient political writers, as he seemed to pass on a great deal of the best in classical Greek thinking, combined with a new attitude that harmonized with the teachings of Christianity".³¹

(vii) *Cicero on the Equality and Liberty of Men*—On the basis of this law of nature, which is based on reason, Cicero preached the equality of men. Here he breaks the traditional line of Plato and Aristotle. Writing about this equality of men, Cicero says that they are not equal in learning, nor is it proper for the state to equalize their property; but in the possession of reason, in their underlying psychological make-up, and in their general attitude towards what they believe to be honourable or base. The things that actually prevent men from being equal are errors, bad habits and false opinions. Cicero does not admit any racial distinction as it is done by certain racists of the present century, and as it was done by the great Greek, Aristotle—a member of the slave-owning civilization. According to Cicero, all men and all races of men possess the same capacity for experience and for the same kind of experience they are equally capable of discriminating between right and wrong. In his 'De Legibus', at one place, Cicero writes :

*"For no single thing is so like another, so exactly its counterpart, as all of us are to one another. Nay, if bad habits and false beliefs did not twist the weaker minds and turn them in whatever direction they are inclined, no one would be so like his own self as all men would be like all others".*³²

Commenting upon Cicero's doctrine of equality, Prof. A. J. Carlyle says, "No change in political theory is so startling in its

31. W. Ebenstein, *op. cit.*, p. 41.

32. Quoted by F. W. Coker, *Readings in Political Philosophy*, p. 149.

completeness as the change from Aristotle to a passage such as this'.³³ Appreciating Prof. Carlyle's observation in this connection, Prof. McIlwain, in his 'Growth of Political Thought in the West', writes that Dr. Carlyle has rendered a great service in emphasising the fact that this is the most important difference between Cicero and the greatest of the Greek philosophers. It is as he has said "the dividing line between the ancient and the modern political theory". We are "at the beginning of a theory of human nature and society of which the 'liberty, equality and fraternity' of the French Revolution is only the present-day expression. And he has shown that this turning point lies in the period between Aristotle and Cicero".³⁴

There is another great aspect of Cicero's political philosophy in which he goes much farther than Aristotle. It is his stress on popular consent as the very basis of a true government and on liberty. According to Cicero, "Liberty has no dwelling place in any state except that in which the people's power is the greatest, and surely nothing can be sweeter than liberty ; but if it is not the same for all, it does not deserve the name of liberty". Cicero's conception of liberty contains two most important points. Firstly, that liberty or rights should be given to all citizens irrespective of their class distinctions. And, secondly, the consent of the people should be regarded as the only source of legitimate government. The concept of the people as political and legal force in matters of government was clearly set forth by Cicero. It is this concept which in modern times has acquired a great significance and meaning in the "world-wide struggle for democracy and popular self-government".

(viii) *Importance of Cicero*—The great importance of Cicero lies in the fact that he breaks the traditional line of Plato and Aristotle. He advocated the equality of men and preached for the human dignity and respect due to each man. He propounded a new theory of justice based upon the equal rights of men. He was an advocate of unimpeachable morality and a forerunner of international law. He was the first to think in terms of humanity and, thus, preached the doctrine of the universal brotherhood of men. His political philosophy is a blending of all the three—ethics, jurisprudence, and politics ; and it is here that he performs a great task.

33. A. J. Carlyle, *A History of Medieval Political Theory*, Vol. I, p. 8.

34. C. H. McIlwain, *op. cit.*, pp. 114-15.

CHAPTER 26 EARLY CHRISTIAN THOUGHT—St. AUGUSTINE

“St. Augustine sought to interpret the course of mundane affairs, including the catastrophes of his own day, in terms of the eternal will of God. In his hands the story of mankind became a narrative of the unfolding in time and space of the eternal purpose of the creator.”

—F. J. C. Hearnshaw.

1. *Introductory*: The downfall of the Roman Empire was marked by the rise of Christianity. The early fathers of the Church, and particularly St. Paul, regarded the Roman discipline as necessary to prepare men for Christ. He considered Roman justice as a “defence against the fury of the unbelievers”. But, however, later on, the Roman Emperors developed an attitude of hostility towards the Christian religion. The dual loyalty involved in the Christian conception of man’s twofold destiny, and the insistence of the Roman Empire on the performance of rights and services inconsistent with the teaching of the Church, led to increasing friction and ultimately to open antagonism.¹ It resulted in the general persecution of the Christian Church and its adherents. All attempts were made to suppress it, but the Church stood like a great wall of faith. The

1. A. R. M. Murray, *An Introduction to Political Philosophy*, p. 72.

Christians, on the other hand, adopted subversive activities and organised many conspiracies against the Roman Emperors. The weak emperors of the withering empire proved to be too weak to crush the Christian movement. This furious conflict of the two rival authorities reached its climax in the days of Emperor Decius and ended with Emperor Diocletian (250 A.D.-304 A.D.). The pagan state exerted all the power to wipe the Christian Church out of its existence, but it miserably failed to do so. The Emperors, who needed internal peace and unity, were profoundly disappointed and disgusted in the presence of this situation. "The Church victorious, instead of becoming, as had been hoped, a new source of strength and bond of union to the Empire, became a fresh cause of dissension, disintegration, and disaster".²

When this state of controversy and confusion prevailed within the Empire, the barbarian invaders were attracted to enter the Roman territory and to carry their ravages and depredations. The Huns, the Vandals, the Teutons and the Visigoths fell like a hurricane upon the already dying and disintegrating Empire. In 410 A.D. they completely sacked the great city of Rome. These barbarians had no civilization of their own which they could substitute for, or mingle with that of the Roman world. "The recorded history of the West knows of no similar catastrophe, when a way of life was so thoroughly destroyed that men forgot what their ancestors had known for centuries, and had to start all over again groping toward a new existence".³ The sack of Rome, no doubt, was a very painful experience. "No city in the world had ever risen to such eminence as Rome. For eight centuries she had been inviolate. She had become the centre of the vastest and most powerful empire which had ever been established among mankind. The wealth of the world had been poured into her lap, and it had been used to adorn her with temples and palaces which were among the marvels of the earth. All roads led to her; all men looked to her for guidance and control; she was regarded as the symbol of all that was most potent and most enduring".⁴

After the sack of Rome by the Visigoths in 410 A.D., a popular explanation was offered that the faults of Christianity were

2. F. J. C. Hearnshaw, *Social and Political Ideas of Some Great Medieval Thinkers*, p. 37.

3. W. Ebenstein, *op. cit.*, p. 52.

4. F. J. C. Hearnshaw, *op. cit.*, p. 38.

responsible for the downfall of the Roman Empire. For 80 years (from 313 A.D. to 393 A.D.) both Christianity and paganism were allowed to live side by side in the Roman Empire. All harsh and discriminatory legislations against it were abandoned. Then came a long series of religious enactments which were increasingly favourable to the Christian faith. In 393 A.D. it became the official religion of the state through an edict of Emperor Theodosius I. Since the fall of Rome occurred so soon after the triumph of Christianity, many pagans and even some Christians were led to establish a connection between the rise of Christianity and the weakening of the Roman Empire. According to pagans, "the Christian qualities of otherworldliness, meekness, pacifism, disregard for public affairs, and contempt for revered national deities had been persistently sapping the strength of Rome". "The devotees of the old gods—exasperated, humiliated, dispossessed, persecuted—raised aloud the cry: 'Rome has perished in the Christian days'. They attributed all the calamities of their own dark days to the abandonment of the old faiths and to the consequent anger of the deserted and insulted deities".⁵ The Christians repudiated the pagan charge but they were equally "troubled to think that the conversion of the Empire had not sufficed to save it from this overwhelming and spectacular disaster, and were still more perturbed to realise that the imperial power, in which they had trusted for temporal security and worldwide dominion, was unable to save even itself from destruction".⁶ St. Augustine heard both the cry of the pagans and the Christians. And since he knew both paganism and Christianity, he came forward to defend the tender plant of Christianity and meet the pagan charge that the victory of Christianity was responsible for the downfall of the Roman Empire.

St. AUGUSTINE (354–430 A.D.)

2. St. Augustine is generally called the 'greatest of the Fathers of the Church'. He was a native of Roman North Africa. His parents were the inhabitants of North Africa. His father was a pagan, but his mother was a devout Christian. In his early thirties, he was converted to Christianity by St. Ambrose, the Bishop of Milan. St. Augustine rose very rapidly in the hierarchy of the Church. In his forty-second year he was made Bishop of Hippo in North Africa in 395 A.D. and he held this office until his death in 430 A.D.

5. F. J. C. Hearnshaw, *op. cit.*, p. 39.

6. *Ibid.*, p. 39.

St. Augustine was a celebrated writer. Aside from his famous 'Confessions', he wrote a number of treatises on general philosophical questions. His writings were quoted mainly to an interpretation and defence of the Christian religion. He wrote several other works in criticism of other religious sects of his day. But his most important work which gave him name, fame and glory was the 'De Civitate Dei', 'The City of God', written in the year 413 A.D. He took more than a dozen years to complete this work. This work is composed of twenty-two books. The first ten are devoted to the defence of Christianity. They are concerned with rebutting the pagan charge that Rome had perished in the Christian days. In the other twelve books he set forth more positively and comprehensively his own conceptions of man and society. In these books he argued that the "fall of Rome was a vivid illustration of the principle that all earthly kingdoms are transient and unstable and that security and permanence must be found in a spiritual commonwealth. Thus he distinguished sharply between the city of God and the city of this world. The city of God consists of the redeemed in this world and the next. The city of the world is the kingdom of the devil and of those who follow him".⁷

The 'De Civitate Dei' of St. Augustine is one of the most difficult works which have been bequeathed to posterity. Its definitions are vague and variable, its argument is obscure, and its conclusions are still a subject of interminable controversy. But in spite of these grave defects both in design and in execution, its ground philosophy is quite clear.⁸ The book has exercised "a profound influence over later medieval discussion of questions concerning the origin of political society; the relations of civil government to divine law, natural law, and justice; the qualities of a just ruler and of his opposite—the tyrant; and the Christian attitude towards slavery and private property".⁹ Prof. McIlwain admits that "St. Augustine's city of God probably had a greater influence on subsequent medieval political thought than any other book written in the early Middle Ages".¹⁰

3. *Philosophy of St. Augustine* : According to Prof. G. H. Sabine, "His philosophy was only in a slight degree systematic, but

7. A. R. M. Murray, *op. cit.*, p. 73.

8. F. J. C. Hearnshaw, *op. cit.*, p. 40.

9. F. W. Coker, *Readings in Political Philosophy*, 15th edition, p. 157.

10. C. H. McIlwain, *Growth of Political Thought in the West*, p. 159.

his mind had encompassed almost all the learning of ancient times, and through him, to a very large extent, it was transmitted to the Middle Ages".¹¹ In the elaboration and illustration of the main themes of the City of God, Augustine blended certain basic ideas of Greek and Roman authors (particularly Plato and Cicero) with the emerging Christian ideas on the essential nature and functions of a political community.¹² To quote Prof. Sabine again, "His writings were a mine of ideas in which later writers, Catholic and Protestant, have dug...His most characteristic idea is the conception of a Christian commonwealth, together with a philosophy of history which presents such a commonwealth as the culmination of man's spiritual development. Through his authority this conception became an ineradicable part of Christian thought, extending not only through the Middle Ages but far down into modern times".¹³ Writing perhaps in a similar strain, Prof. Dunning has observed that the 'De Civitate Dei' of St. Augustine, "though covering substantially the whole realm of human history, theology and philosophy, has for its central theme the concept of God's elect as constituting a commonwealth of the redeemed in the world to come—a commonwealth of which the Church is a symbol on earth. In developing this idea, he works consciously on Plato's lines and formulates from the political philosophy of that master and of Cicero a system in which the leading dogmas of the Christian faith assume a controlling part".¹⁴

4. *Augustine's Conception of Two Cities* : Examined in the historical context, St. Augustine's 'De Civitate Dei' was conditioned by the circumstances of his own time. It is thus obvious that political philosophy and history have always gone hand in hand. In the 'De Civitate Dei', he was led to develop the conception of two cities, the city of God and the city of the Devil, primarily to explain the downfall of the Roman Empire. The argument that he puts forth in his conception is that all earthly cities are bound to perish. But there is one city which is eternal and imperishable, and it is the City of God. Rome, he says, perished away because it was an earthly city, and all earthly cities meet the same fate. He attributed the fall of Rome to the vices which paganism bred—cruelty,

11. G. H. Sabine, *A History of Political Theory*, p. 169.

12. F. W. Coker, *op. cit.*, pp. 156-57.

13. G. H. Sabine, *op. cit.*, p. 169.

14. W. A. Dunning, *Political Theories—Ancient and Medieval*, p. 157.

extortion, pride, luxury and debauchery. Thus, he ended his argument by carrying the controversy into the pagan camp and defended Christianity against the pagan charge that it was responsible for the downfall of the Roman Empire. He developed his philosophical ideas including his theory of the significance and goal of human history by which he sought to place the history of Rome in its true perspective.¹⁵

Writing about the nature of the two cities, the Earthly and the Heavenly, St. Augustine says that both have been formed by two loves : the earthly by the love of self, even to the contempt of God ; the heavenly by the love of God, even to the contempt of self. The former glories in itself, the latter in the Lord. For, the one seeks glory from men ; but the greatest glory of the other is God, the witness of conscience. The one lifts up its head in its own glory, the other says to its God, "Thou art my glory ; and the lifter up of mine head". In the one, the princes and the nations it subdues are ruled by the love of ruling ; in the other, the princes and the subjects serve one another in love. The one delights in its own strength, represented in the persons of its rulers ; the other says to its God, "I will love Thee, O Lord, my strength". The one, the *Civitas Dei*, had its origin with the creation of the angels ; the other, its rival, the *Civitas Terrena*, commenced with the fall of Satan. One was founded on earth by the pious Abel, the other by the impious Cain. The one is founded in the hope of heavenly peace and spiritual salvation, the other is founded on earthly, appetitive and possessive impulses of the lower human nature. The one was founded on the love of God and the other on the self-love. The former existed for the promotion of good and the other pursued evil. The one aimed at justice and the other at power. The first was the kingdom of Christ which manifested itself first in the Hebrew nation and later in the Church and the Christianised state. The second was the kingdom of Satan whose history began with the disobedience of the Angels and which manifested itself particularly in pagan empires of Assyria and Rome. According to St. Augustine, all human history is a dramatic story of the struggle between these two cities, and he is convinced that the ultimate victory must fall to the City of God. It was, in this way, that St. Augustine interpreted the fall of Rome. According to this interpretation, all earthly empires must pass away. They must pass away, because they are mortal and unstable, and

15. G. H. Sabine, *op. cit.*, p. 169.

built upon those aspects of human nature which are connected with his instinct of war and the greed of domination.

But what does St. Augustine really mean by the *Civitas Dei* (the City of God), and the *Civitas Terrena* (the city of the earth)? His ideas in this connection are most significant, but most obscure, at the same time. Prof. G. H. Sabine is quite justified when he says that "a certain caution is needed, however, in interpreting this theory and especially in applying it to historical fact. It was not St. Augustine's meaning that either the earthly city or the City of God could be identified precisely with existing human institutions".¹⁶ The heavenly city for him, perhaps, was the communion of the redeemed in this world and in the next. The earthly city was the kingdom of the Devil and of all wicked men. If by the City of God St. Augustine means the Church, Prof. F. J. C. Hearnshaw asks, "What does St. Augustine mean by the Church?" Is it the visible and indeterminable society of the predestined elect, known only to God? It is impossible to be sure which of the two he has in mind".¹⁷ Prof. Hearnshaw again asks, "What does Augustine mean by the *Civitas Terrena*? Is it the state, as such? Is it to be identified in any way with the Roman Empire? Here, also, it is hard to be certain what Augustine thought. Of this, however, there can be no doubt that Augustine was fighting a winning battle. He saw that the future of the world lay in the Christian Church, and he was confident that it would move on from triumph to triumph until the primal purpose of God was fulfilled".¹⁸

According to Prof. William Ebenstein, St. Augustine "was primarily concerned with ways of life and not with organizations of life". The great struggle in the universe is, then, not between Church and State, but between two opposing ways of life: in the earthly city, the love of self, the lust of power predominate, whereas in the heavenly city, the love of God is the foundation of order. Augustine therefore divides the human race into two parts, "the one consisting of those who live according to man, the other of those who live according to God. And these we also mystically call the two cities, or the two communities of men, of which the one is predestined to reign eternally with God, and the other to suffer eternal punishment with the devil".¹⁹ St. Augustine himself

16. G. H. Sabine, *op. cit.*, p. 170.

17. F. J. C. Hearnshaw, *op. cit.*, p. 42.

18. *Ibid.*, p. 42.

19. W. Ebenstein, *op. cit.*, p. 55.

emphasizes that the two communities of the heavenly and earthly cities can be called cities only in a mystical or allegorical sense. This interpretation of Prof. Ebenstein is understandable and very much appeals to the commonsense.

5. *St. Augustine's views on the Church* : Augustine's views on the Church are very significant. His argument is that for man's entry into the eternal kingdom of heaven, the city of God, there must be some visible agency on earth which may lead him in the right direction. Such a visible agency, according to Augustine, is the Church. Augustine considers the Church as a part of the heavenly city that "sojourns on earth and lives by faith". It "lives like a captive and stranger in the earthly city". He regarded it to be a scheme of human salvation. It is through this social union of all true believers that the grace of God works in human history. He regarded the history of the Church as the "march of God in the world". Augustine considers all human history "a majestic unfolding of the plan of divine salvation in which the Church marks the decisive movement". It is through the organization of the Church that mankind can be united together. By the unity of mankind, Augustine meant the unity of the Christian faith under the leadership of the Church. This attitude of Augustine gave to the Church a position of pre-eminence and reduced the position of the state merely to the secular arm of the Church. This reasoning of Augustine attached a force and a reality to the conception of the Church as an organized institution. He regarded the appearance of the Christian Church as the turning point of human history.

6. *St. Augustine's views on the state* : St. Augustine attributes the origin of the state to the gregarious instinct of man. In this he is essentially an Aristotelian. At another place he also explains that the state has originated from the human sin resulting from the Original Sin. This is essentially a Christian view of the origin of the state. In this way, St. Augustine, in his conception of the state, combines both the Aristotelian and the Christian approach. To him the state was due to Sin and, hence, it represented a divine remedy for sins. It was derived from God Himself, and hence it was a divine institution. This advocacy of St. Augustine was later utilised by those who affirmed the sovereignty of mundane rulers over the Church. But St. Augustine admits that in spite of its divine origin, the state represented the kingdom of the Devil. He regarded the state as a necessary agency. The Church for its maintenance wanted both property and buildings and the rights to these

could be granted only by the state. The orders of the state should be obeyed because they are meant for the establishment of peace and a good social life. But St. Augustine makes it quite clear that if the laws of the state are in conflict with the laws of religion and morality, they should not be obeyed. According to St. Augustine, "The life of the wise man must be social" and that there is no man who "does not wish to have peace": To him the state has a great utility because it provides for the establishment of social peace. He repeats the Greco-Roman ideas when he says that the state is "in its own kind, better than all other human good. For it desires earthly peace for the sake of enjoying earthly goods". According to Prof. Ebenstein, the peace that the state provides is not an end in itself, but only a means, a condition that makes the service to God possible. The peace of the state is the temporary tranquillity that enables man to work for the heavenly city, which is "peace never ending". What he actually wants to say is that "the state must be a Christian State, serving a community, which is one by virtue of a common Christian faith, ministering to a life in which spiritual interests admittedly stand above all other interests and contributing to human salvation by preserving the purity of the faith".²⁰

7. *St. Augustine's views on Justice* : In his conception of justice, St. Augustine was very much influenced by Plato. But to Plato's concept of social justice, St. Augustine gives a religious turn. According to him, justice and peace are the cardinal virtues of the City of God. He emphatically declares that it is justice alone which holds a society, ethically together, and no justice can be imagined in a society, where men are seeking only paltry interests and have no grasp upon eternal values and the true Christian faith. Where there is no justice, there is no peace. St. Augustine has conceived peace in terms of justice, and justice, according to St. Augustine, is another name of the 'right relation of man and God'. Peace is not the absence of social strife and conflict. Without justice there can be no peace, because where there is no justice there can be no *jus* (Law). In his 'De Civitate Dei' he clearly mentions at one place that without justice there is nothing to distinguish a state from a band of robbers. Justice to St. Augustine is conformity to order and respect for duties arising from this order. An individual is just if he fulfils these duties, as Plato had said. In the case of Plato, duties to individuals were assigned by the authority of the state and they were

20. G. H. Sabine, *op. cit.*, p. 171.

required to conform to the order of the state. But in the case of St. Augustine, the duties, which are assigned to men are essentially religious duties and the order to which they are required to conform is the order of the Church which helps men in coming nearer to God. He poses a question and asks, "What justice of man is it which takes man himself away from the true God and makes him subject to unclean demons?" This moral and religious conception of justice is behind the central thought of St. Augustine. In the light of such a conception, justice becomes an attribute of the Church and not of the state. To St. Augustine, the state is not the final society. There is the universal society with its universal order and justice which, to St. Augustine, was a Christian commonwealth. It is only in a Christian commonwealth that justice prevails. Justice in the state, therefore, is not absolute but relative. Universal justice will prevail in a universal order. St. Augustine's conception of justice, therefore, is not bound, like Plato, by space and time. It, therefore, represents a more absolute conception of justice.

8. *St. Augustine on Slavery and Property*: St. Augustine, like Aristotle, is a great defender of the institution of slavery. His conception of slavery, in fact, is "a Christianized version of Aristotle's rationalization of slavery".²¹ It is to be noted that Aristotle justified slavery on the basis of the nature of the slave. St. Augustine rejected outright such a justification. According to him, "Man was created in God's image, to be master of irrational creatures, beasts, not of fellowmen". According to this philosophy, therefore, slavery cannot be justified on the basis of the nature of man as originally intended by the creator. It is justified, on the other hand, as a result of human sin. He considers it both punishment and remedy for sin. The worst feature of his conception of slavery was his opposition to the law of the Old Testament, according to which all servitude was to be ended after every seventh year. Instead, he preaches that bad slaves are made good by the example of Christ, and that they should not refuse to serve their wicked masters. He asks them to serve their masters "heartily and with good will, so that, if they cannot be freed by their masters, they may themselves make their slavery, in some sort free, by serving not in crafty fear, but in faithful love, until all righteousness pass away, and all principality and every human power be brought to nothing, and God be in all". This is a very poor consolation that he gives to the slaves.

21. W. Ebenstein, *op. cit.*, p. 57.

In fact, he condemns them to perpetual slavery. The good aspect of his conception is that like Aristotle he appeals to the masters "to act benevolently and responsibly" and "feel their position of authority a greater burden than servants their service".

With regard to the question of property, St. Augustine's views are somewhat different from those of Aristotle. To Aristotle private property was natural because it was moral. To St. Augustine the institution of private property is not natural but it is conventional and the right to it grew from the state. St. Augustine had, perhaps, in his mind the example of the Roman legal system according to which private property was a settled principle. The Roman law at one place has stated, "Make such use of your own as not to harm another's". From this, it is quite clear that in the Roman days there existed the institution of private property. St. Augustine does not repudiate this Roman practice. He holds that property arose out of the law of the state, and not from the law of nature. "This view is the opposite of that of Locke, that private property is an institution of natural law, and arises out of labour".²²

On the question of use of private property, St. Augustine's views resemble somewhat with those of Aristotle. What Aristotle justifies, is the private possession and common use. He has before his mind the considerations of the social good. Alms giving is regarded by him a moral virtue. St. Augustine justifies private property in order to avoid the danger of violence and confusion which proceeds from the common possession. But he insists that the institution of private property "cannot override the natural right of man to obtain what he needs from the abundance of that which the earth brings forth" "This is what the Fathers mean when they call the maintenance of the needy an act of justice, not of mercy: for it is justice to give to a man that which is his own, and the needy have a moral right to what they require".²³ St. Augustine, like all other Fathers of the Church, calls alms giving an act of justice by which he means that "the man who is in need has a legitimate right to claim for his need that which is to another man a superfluity".²⁴ Dr. A. J. Carlyle has summarised the stand of all the Christian Fathers including that of St. Augustine with regard to this institute of private property. "All property", he says, "is the gift of God and it was His will that the earth which He created should be the common possession of all men

22. Dr. A. J. Carlyle, *Property, its Duties & Rights*, 2nd edition, p. 117.

23. *Ibid.*, p. 126.

24. *Ibid.*, p. 124.

and satisfy the needs of all; it was avarice which created rights of private property. It is therefore just the man, who claims for his private ownership that which was given to the human race in common, should at least distribute some of this to the poor".²⁵

9. *St. Augustine's place in the History of Political Thought*: St. Augustine, the greatest thinker of the Christian age, stands at the threshold of a new era. Middle Ages, actually, began with St. Augustine. His influence is clearly visible in the writings of both Catholic and the Protestant thinkers of the Middle Ages. His idea of a Christian commonwealth became an object, worthy of realization by all the Christians. The germs of the idea of world government based on the principles of justice and peace are to be traceable to the writings of St. Augustine. His interpretation of the fall of Rome paved the way for the scientific study of history. Though interpreted in their own way, Hegel and Marx drew their inspiration from the thought of St. Augustine. "The impact of Plato in particular, but also that of Aristotle, Cicero and Stoics, is clearly evident in his work, and he helped to transmit the ancient heritage to the new world that was being born".²⁶ Although declared to be an idealist, he was, "by general consent, the first great 'realist' in western history. He deserves this distinction because his picture of social reality in his 'Civitas Dei' gives an adequate account of social factions, tensions and competitions which we know to be well-nigh universal on every level of community".²⁷ It is on these social factions, tensions and competitions that St. Augustine lays emphasis in his description of the 'Civitas Terrena'. He asserts very rightly that even in the family one cannot rely on friendship "seeing that secret treachery has often broken it up". "This bit of realism will seem excessive until we remember that our own generation has as much difficulty in preserving the peace and integrity in the smallest and most primordial community, the family, as in integrating community on the highest global level".²⁸

But in spite of so much loftiness in his thinking, his ideas on property and slavery are marked by child-like simplicity. His defence

25. *Ibid.*, p. 123.

26. W. Ebenstein, *op. cit.*, p. 57.

27. From the Article contributed by Neibuhr on St. Augustine to *Political Thought in Perspective*, W. Ebenstein, p. 110. Reinhold Neibuhr is the leading American Protestant theologian of our time.

28. *Ibid.*, p. 112.

of private property goes against that socialistic tradition which is the current-coin of modern politics. His justification of slavery is a blot on the face of Christian thought. His argument, that slavery is divinely ordained as a retribution for human sin, is without any logic and justifies all sorts of tyranny of the masters over their slaves. Sin is committed by the whole humanity, but how is it that the shackles of slavery are meant for a few persons only? His belief that a slave can be freed only by the grace of God is highly absurd, superstitious; and excites laughter.

CHAPTER 27

“MEDIEVAL POLITICAL THOUGHT : CHURCH AND STATE CONTROVERSY”

“The political theory of the Middle Ages may sometimes appear like a desert, often disturbed by the sandstorms raised by the conflicting genies of Papacy and Empire, and rarely relieved by a green oasis such as Dante’s treatise ‘On Monarchy’, or Marsilius’s ‘Defender of the Peace’. There is, indeed, a vast expanse of arid writing ; and a certain unreality, as of a mirage, hangs over the expanse. The writers are untrained and unversed in politics : if they handle real issues, they have not lived in realities. They seem like students, writing essays on political theory from text-books ; and they are confused by the multiplicity and diversity of the three texts they use—the Bible, resting on Jewish theocracy ; Roman Law, issuing from imperial autocracy ; and the Politics of Aristotle based on the oligarchies and democracies of the ancient Greek city-states.”

—*Sir Ernest Barker.*

1. *Introductory* : When Rome was destroyed by the barbarian invaders, the Church maintained its organization in tact. This had, very much, enhanced the influence and prestige of the Papacy. Christianity introduced into medieval politics a new concept

of spiritual power independent of, and even superior to, political authority. But when Christianity became the official religion of the Roman Empire in the 4th century, and the only permitted faith in the 5th, it led to the rapid development of the theory determining the relations between the Church and the state. In his enthusiasm to defend Christianity against the pagan charge, St. Augustine was so much absorbed and occupied that he did not develop any theory as to define the boundaries between the ecclesiastical and political power. The man who took steps in this direction was Pope Gelasius I. At the end of the 5th century A.D. he formulated the original theory of their relations, and which is known as the theory of parallelism or the theory of 'two swords'—the ecclesiastical and political powers.

2. *Gelasian theory of Parallelism or the theory of 'Two Swords'*: According to Prof. Dunning, "The starting point in all medieval theorizing on politics was the dogma of the two powers".¹ This dogma or the theory of two powers finds its first clear manifestation in a letter of Pope Gelasius which he addressed to Emperor Anastasius in 494 A.D. :

"There are two systems under which chiefly this world is governed, the sacred authority of the priests and the royal power. Of these the greater weight is with the priests in so far as they will answer to the Lord even for kings in the last judgment".

Thus, according to Gelasius, there are two separate authorities, one the ecclesiastical and the other secular, exercised respectively by the priest and the king. Writing about the creation of these two powers, Pope Gelasius stated that "Christ himself was king and priest, but knowing the sinfulness and weakness of human nature, he divided the two offices, assigning to ecclesiastical authority the spiritual and religious welfare of men, and to political authority the care and administration of temporal matters. Both ecclesiastical and political powers derive their authority from God ; each is independent, and therefore supreme, in its own sphere : the Church in religious matters and the state in political affairs. Yet this independence also implies mutual dependence : because the state is supreme only in its own sphere, the political, it must bow to the supremacy of the Church in religious issues. Similarly, the Church,

1. W. A. Dunning, *Political Theories : Ancient and Medieval*, p. 165.

because it is supreme only in religious matters, must recognize the authority of the state in mundane government and administration".²

Although Pope Gelasius put his dualistic conception of authority very clearly, but he failed to answer the question, as to who will decide whether a particular matter is religious or political in character? His failure was, perhaps, owing to the belief that both the state and the Church would cooperate with each other in practical tasks of administration. He could not have contemplated that both would fight bitter on the question of jurisdiction of powers. But from the language of his letter which he wrote to Emperor Anastasius, one may get a hint that he attached greater weight and importance to the authority of the Church. But by assigning this special position to the Church, Gelasius does not mean that the final authority of determining matters, whether ecclesiastical or political, belongs to the priest. This special position of the Church, which he had in his mind, simply "involved special responsibilities, in as much as the heaviest task of all, spiritual salvation, was assigned to it".³

But this special position that he assigns to the Church, was interpreted by many ecclesiastics, in the state—Church controversy, to mean that Gelasius wanted to establish the superiority of the Church. "His authority, later, was cited by many supporters of ecclesiastical claims. Hincmar cites it wherever he touches on the subject-matter; Gregory VII employed it in defending his proceedings against Henry of Germany; and it found a place in the compilation of Gratian".⁴ Another dictum of Pope Gelasius which enjoyed authority throughout the Middle Ages was that—

"The Mediator between God and men, the man Christ Jesus, by marking out the methods and dignities appropriate to each, so distinguished between the duties of the two powers....that the Christian emperors should need the priests for the sake of eternal life, and the priests should make use of the imperial laws for the course of temporal affairs only".

The above quoted passage of Pope Gelasius does not give rise to any conflict of jurisdiction between the Church and the state.

2. Quoted by W. Ebenstein, *Introduction to Political Philosophy*, p. 58.

3. W. Ebenstein, *op. cit.*, p. 59.

4. W. A. Dunning, *op. cit.*, p. 166.

His purpose was not to create such a conflict or controversy. What he has stated in the above lines is simply this that both the authorities of the Church and the state cannot do without the help of each other and, hence, both are complementary and supplementary to each other. The sphere of each was decreed by God for the exclusive administration of each. As the kings and emperors claimed no authority in ecclesiastical matters, so the Popes and priests claimed no authority in secular affairs. In doing so the purpose of Pope Gelasius was to determine the authority of the two in such a fashion so that one might not interfere with the other. This purpose of Pope Gelasius is clearly exhibited from his another passage in which he says :

"In order that spiritual action may be free from carnal interruptions, and thus that no man who warreth for God should entangle himself in the affairs of this world : and in turn that he who has been involved in secular business should not be seen directing what is divine".

It is obvious from the above passage that Gelasius meant no conflict between the Church and the state. The difficulty, however, "arose from the lack of any clear definition as to what was secular and what was spiritual. The ground on which the great churchmen attacked princes was that the latter were encroaching upon the spiritual domain, and the plea of the princes always was that the churchmen were mingling in secular affairs".⁵ Thus, the relations between the Pope and the emperor became a matter of dispute and led to that conflict which is better known as the medieval controversy.

3. *Church and state controversy* : The first controversy between the Church and the state began in the third quarter of the eleventh century with the deposition of Pope Gregory VII by Emperor Henry IV. This act of the emperor very much enraged the Pope. Shortly after his deposition, the Pope not only deposed the emperor but also excommunicated him and relieved his subjects from their oath of allegiance to the emperor. This conflict between the Pope and the emperor gave rise to that Church and state controversy, which, for many hundred years, dominated the theory and practice of politics in the Middle Ages. The medieval thinkers, all throughout, were occupied with the controversy whether the supremacy belonged to the Church or the state. This question of

5. W. A. Dunning, *op. cit.*, pp. 168-169.

ecclesiastical or civil "might properly be referred to the Papal See for adjudication".

The case for papal claim to supremacy was also very effectively put forward by Hinemar. In his discussion of the divorce of Lothaire, Hinemar says that the contention of the defenders of kings that their acts were simply subject to the will of God, was highly blasphemous and diabolical. The ruler, like all sinners, must be judged by the priests, "who are the thrones of God, in whom he has his seat and through whom he decrees his judgments". Hinemar supports his argument by quoting examples from the scriptures. The Church had the right to sort out the saved from the damned, for Christ had said to Peter, "And I will give unto thee the keys of the kingdom of heaven, and whatsoever thou shalt bind on earth shall be bound in heaven and whatsoever thou shalt loose on earth shall be loosed in heaven". The injunction of Jesus to Peter, "Feed my sheep", was interpreted as "a charge of universal pastoral authority from which kings were not exempted".

A number of other examples were quoted from the history of Christian times to show that secular authority was subordinate to the Church. John of Salisbury nevertheless made such an overwhelming case for the moral sovereignty of the Church over the secular power. Emperor Theodosius was deprived by St. Ambrose of Milan of "the exercise of his imperial powers till he should have repented of his sin". Chilperic, the last of the Merovingians, was removed by Pope Zacharias because of his incompetency and his subjects were also released from their oath to the monarch. The coronation of Charlemagne by Pope Leo established a theory that the authority of secular monarchs was incomplete without the coronation by the Pope. The story of the 'Donation of Constantine' is also mentioned in support of the claims to papal supremacy. The story is "narrated with much detail how Constantine the Great, upon his departure to Constantinople, had conferred all his imperial authority in the West upon Pope Sylvester, thus giving to the latter the priority as a secular ruler over all the kings in that region". The intelligent supporters of the papal powers disregarded this argument as implying that some portion of the papal power was derived from men, rather than from God direct.

The most effective presentation of the papal claim to supremacy was done by John of Salisbury. John of Salisbury, an Englishman, is best known for his championing the papal cause to supremacy. He has clearly stated that both swords, the material

and the spiritual, belong to the Church, and that the 'prince receives his sword, or authority, from the Church'. In his 'Policraticus', he has described this position as follows :

"The prince is a minister of the priestly power, and one who exercises that side of the sacred offices which seems unworthy of the hands of the priesthood. As the original and true owner of the temporal sword, the Church has the right to depose the prince if he violates the law of God and disregards the precepts of the Church, for he who can lawfully bestow can lawfully take away".

At another place in the same book we find John of Salisbury declaring that "a statute or ordinance of the prince is a thing of nought if not in conformity with the teaching of the secular ruler that protagonists of the papal cause found it none too difficult to go beyond him and plead for legal supremacy as well".

5. *Arguments for secular pre-eminence*: The arguments advanced by imperialists in support of secular or kingly pre-eminence constitute what is known as the anti-papal thought of the Middle Ages. The supporters of the secular authority based their arguments on the doctrine of the divine right of kings. It was contended by them that the secular authority had divine origin, and was not merely delegated by the Church. The kings, they said, were the lieutenants of God on earth and were responsible to Him alone. The state as such had divine sanction and was in no way subordinate to the authority of the Church. They held that the king was the instrument of a divine purpose and the duty of all was to submit to his will, and the only recourse against the evils of tyranny was repentance for sin and prayer to God.

The imperialists or the supporters of secular authority found in St. Paul a great champion of their cause. They based their doctrine of passive obedience on the dictum of St. Paul, which runs as follows:

"The powers that be are ordained of God. Whosoever therefore resisteth the power, resisteth the ordinance of God".

The authority of Peter was also cited in support of the secular power who enjoined obedience "to every ordinance of man for the Lord's sake; for so is the will of God, that with well doing ye may put to silence the ignorance of foolishmen". "Peter's theory suggested, however, the characteristic connection of divine right with indefeasible hereditary right. On the whole the theory was less

important for its intrinsic merits than for its indication of a tendency to support the secular power by using legal conceptions".⁷

The secularists also invoked the authority of the Old Testament and drew from it a number of doctrines which were favourable to their cause. In Old Testament the kings were shown to have enjoyed "the direct sanction and conspicuous favour of God, and to have been instruments of the divine purpose". Backed by the authority of scriptures, the secular rulers demanded unquestioning obedience from their subjects, and claimed that they were absolutely free from papal control and jurisdiction.

Another very important argument in favour of the secular authority was put forward by the author of the 'York Tracts,' produced about 1100 A.D. in the controversy over investiture between Anselm and Henry I of England. "He asserted sweepingly that the authority of a king is of a higher kind than that of a bishop, that the king ought to rule over bishops, and that he is competent to call a council of the Church and to preside over it".⁸ According to Prof. Sabine, "The York Tracts appear to contain the germ of the argument which was elaborated two centuries later by Marsilius of Padua in the 'Defensor Pacis', where it formed an important part of a tendency to construe spiritual authority not as a power but as a right to teach and preach".⁹

The revival of the study of Roman law in the 12th century under the encouragement of Frederick of Barbarossa, greatly strengthened the secular cause to supremacy. Bortolus, who was one of the leading jurists of the medieval times, held that "the Emperor's sovereignty was inalienable and that to dispute it was sacrilege". It was claimed by the later jurists that "the emperors possessed the unbroken imperial power of the Caesars". The secularists took the help of the Roman Law according to which the early Roman Emperors and their successors, the Holy Roman Emperors, were independent of all ecclesiastical control, and superior to all secular monarchs. "But this particular form of argument for the secular power naturally found little favour outside of the Holy Roman Empire; for the English, French and Spanish kings and their supporters could gain little from a doctrine which might save them from a Pope only to subject them to an Emperor".¹⁰

7. G. H. Sabine, *A History of Political Theory*, p. 210.

8. *Ibid.*, p. 210.

9. *Ibid.*, p. 211.

10. W. A. Dunning, *op. cit.*, p. 181.

It was in this way that unending arguments in this controversy were advanced from both sides. The medieval thinkers could not escape from taking sides in this conflicting genius of Papacy and Empire. They are sharply divided on this very point whether the supremacy belongs to the Papacy or to the state. The most effective supporters of the papal claims to supremacy were John of Salisbury and St. Thomas Aquinas.

CHAPTER 28
JOHN OF SALISBURY 1120–1180 A. D.

"The Policraticus—a book written by John of Sallsbury is a work of political theory on a scale unknown since Roman times. The book is concerned with the Ideal ruler and the nature of the state ; its central theme that the king is a public power. If he rules in accordance with the law he is a just prince ; if he breaks the laws, he is a tyrant and may be justly killed. The prince is the head of an organic Commonwealth ruled by reason in accordance with the highest equity, subject to God. The book shows a new standard of critical judgment; It is the work of a civilized and learned mind, and it illustrates the mentality of an ageless alien than is generally supposed."

—*John Bowle*

1. *Life and work of John* : On the papal side of the controversy, possibly the foremost in point of practical influence

was the great Hilderbrand, better remembered as the Pope Gregory who brought the emperor to his knees at Canossa.¹ Next in the list of papal champions we find the name of John of Salisbury. He is said to be the earliest elaborate thinker on the State-Church controversy. He presented the most incisive point of view for the papal claim to supremacy. He is considered by many to be the most typical medieval political writer, before the discovery and spread of Aristotelianism in the 13th century, which gave rise to such divergent and overtowering figures as St. Thomas Aquinas and Marsilio of Padua.²

John was an English man by birth. He was born in 1120 A.D. at Salisbury in England and was educated in France. He spent about 12 years of his schooling in Paris which was at this time the world centre of philosophy and theology, and had revived a great interest in Greek and Roman culture. On leaving Paris he returned to England where he served as Secretary to Thomas Becket, the then Archbishop of Canterbury. In this capacity he was closely connected with Becket's struggle against Henry II and, as such, he had acquired intimate knowledge of Government and Politics in England, as well as inside penetration into the character and management of the Church.³

It is known that he went on several missions to Rome and other continental centres. He frequently travelled to the papal court in Rome and became an intimate friend of Adrian the IV, the only English Pope in history. In 1176 he was appointed Bishop of Chartres by French King, Louis the VII. He held this office until his death in 1180.⁴

John of Salisbury's most important work was *Policraticus* or (Statesman's Book) written in 1159, and, as Dr. Dickinson points out in the preface of his translation, is purely medieval, being "the only important political treatise written before western thought had once more become familiar with the Politics of Aristotle". There is perhaps no single doctrine that he can claim to have discovered first; yet his book is one of the most influential medieval political statements because of the originality with which he combines existing isolated ideas into a new pattern, and because of his style, which has freshness, integrity and a sense of humour—the latter a particularly

1. C. C. Maxey, *op. cit.*, p. 113.
2. W. Ebenstein, *op. cit.*, p. 190.
3. *Ibid.*, p. 190.
4. C. C. Maxey, *op. cit.*, p. 114.

rare quality in the mediæval writer on politics.⁵ It is interesting to note that John touched very lightly upon feudal theories, though feudalism was then at its highest development, but laid heavy emphasis upon the classical Roman conception of the state. In this he was not only a true churchman but was keeping alive a doctrine which secular rulers later were destined to borrow from the Church and employ to her very great discomfiture.⁶

The book embodies a somewhat ambitious attempt at a broad philosophy of politics, in which the elements of princely rule received in many respects a just and impartial consideration. His method of treatment is diffuse, and though it combines the appeal to ecclesiastical authority with copious references to pagan literature and to pagan philosophy, it exhibits in only a rudimentary way the harmonizing of the two systems of thought that is characteristic of the next century. The substance of his politics is ethical rather than legal or constitutional.⁷ That is he has no doctrine to present as to the organization of government, the distribution and interrelationship of functions, or even as to the various forms of state and government.⁸ The most significant points of the work in the history of political theory are those touching (i) the relation of the prince to law and (ii) the distinction between prince and tyrant.⁹

In his *Policraticus*, John of Salisbury advanced a general philosophy of politics. 'Broader in scope than other works of this period, his treatise presented in a style reminiscent of Cicero a comprehensive picture of what was generally believed about political philosophy during this period.'¹⁰ According to C. H. McIlwain the work was of a very special interest because it was written prior to the recovery of Aristotle's writings early in the thirteenth Century. This recovery has often been considered a turning point in mediæval history.¹¹

It is a compendium of the ancient tradition which had descended to the twelfth century from Cicero and Seneca through the fathers of the Church and the Roman lawyers. In most respects it tried to set forth with a fair degree of order what everyone believed

5. W. Ebenstein, *op. cit.*, p. 191.

6. C. C. Maxey, *op. cit.*, p. 114.

7. W. A. Dunning, *op. cit.*, pp. 185-186.

8. *Ibid.*, p. 186.

9. *Ibid.*, p. 186.

10. Lawrence C. Wainlass, *op. cit.*, p. 119.

11. C. H. McIlwain, *op. cit.*, p. 338.

and, so far as was known in the twelfth century, had always believed. It is commonly agreed that there is surprisingly little in it that depends consciously on the feudal organization of society which actually prevailed when John of Salisbury had written.¹² This point of view has been fully supported by John Bowle also. He has very rightly pointed out that "the outlook of the *Policraticus* is foreign to the feudal world. Here is the revived voice of the Roman tradition of government speaking in medieval terms ; the voice, too, of English common sense. The book displays a wide and coordinated learning. The author seems to be familiar with Virgil, Plutarch, Suetonius, and Pliny, with Terence and Petronius and a whole range of other authors. He draws on an extensive, sometimes overwhelming, knowledge of Greek and Roman history and displays a realistic political judgment, a shrewd assessment of men and affairs, without the parrot-like quality and self-consciousness often apparent in medieval writing."¹³

Another important work of John of Salisbury was his "*Metalogicon*" which contains his method. In this book his main argument was that true and scientific knowledge can be acquired only through logical method and reasoning. For a proper acquisition of knowledge, the logical studies and literary education, therefore, should never be isolated from each other. 'In this work he gave a detailed analysis of the whole corpus of Aristotle's logical writings. He avoids metaphysical statements and goes on reporting philosophical doctrines. Thus he appears to be a sceptic for which attitude he often quotes Cicero. This attitude was akin to that which had developed among the teachers of theology in Paris during his last years there, partly under the impact of Cistercian opposition to rational investigation. In any case, his style is discursive and his works show a marked personal disinclination to systematic construction.'

2. *John's conception of the State* : Although John of Salisbury was not familiar with Aristotle's *Politics* and its organic conception of political community, yet it certainly goes to his credit that he evolved an organic conception of the state. The state is defined by him in terms of a crude simile. 'According to Plutarch...it is a certain body, endowed with life by the benefit of divine favour, which acts on the promptings of the highest equity and is ruled by what may be

12. G. H. Sabine, *op. cit.*, p. 246.

13. J. Bowle, *op. cit.*, p. 185.

called the mediating power of reason. The place of the head is filled by the Prince, who is subject only to God. The place of the heart by the Senate, from which proceeds the initiation of good works and ill; the duties of eyes, ears and tongues are claimed by the judges and governors of provinces. Officials and soldiers correspond to the hands. Those who always attend the prince may be likened to the sides, financial officers and keepers may be compared to the stomach and the intestines, which, if they become congested through excessive avidity and retain too tenaciously their accumulations, generate innumerable and incurable diseases...The husbandmen correspond to the feet, which always cleave to the soil and need more especially the care and foresight of the head. They deserve protection all the more justly since they sustain and move forward the weight of the entire body.¹⁴

Never before such an elaborate and splendid organic conception of the state was ever put forward by any medieval thinker which embodies in itself both the duties of the king and the functions discharged by every part of the whole. It was much later that Herbert Spencer became a great beneficiary of this doctrine and pressed it to far into the service of his politics. His ideal was rather that of the Commonwealth, the *res publica*, conceived after the manner of Cicero as a society "united by a common agreement about law and rights." John of Salisbury was convinced that a well-ordered society consists in a proper allotment of functions to the members of the Commonwealth and in the right composition and strength of each organ. It was here, perhaps, that he was borrowing and repeating from Plato's ideas of social justice in a Commonwealth. After attacking the obstacles that interfere with the healthy life of the state, he made the first effort since Augustine to frame the ideal system of government, on the basis of necessary subordination of the secular to the religious authority. Monarchy was the only form of government with which he was concerned, and he viewed the state in terms of the Roman Empire and the Old Testament theocracies.¹⁵

3. *Supremacy of the Ecclesiastical Authority* : John of Salisbury has unquestionably established the supremacy of priestly authority over the secular authority of the prince. According to him the king is the head of the body or (the Commonwealth), the overruler of the body is the soul, "and the analogue of this in the

14. J. Dickinson, *The Statesman's Book of John of Salisbury*, 1927, pp. 64-65.

15. R. G. Gettell, *op. cit.*, pp. 119-120.

state is the practice of religion and the worship of God." And, therefore, those who preside over the practice of religion should be looked up to and venerated as the soul of the body, and manifestly should have rulership over the whole thereof. "The primacy of the Church is thus made clear beyond question. The prince, by divine governance, is placed at the apex of the Commonwealth," "sometimes through the secret ministry of God's providence, sometimes by the decision of this priests, and again it is the votes of the whole people which concur to place the ruler in authority."¹⁶ "But the scriptures show that notwithstanding the mode by which the ruler comes into power, he is always regarded as having been ordained by God and is held responsible for doing the will of God." For all power is from the Lord God, and has been with Him always, and is from everlasting. The power which the prince has is therefore from God, for the power of God is never lost, nor severed from Him, but He merely exercises it through a subordinate hand, making all things teach His mercy and justice."¹⁷

"In fact, John of Salisbury does not propose that the Church should actually take over the temporal government and administer it through priests, nor does he recommend that a prince submit every law for prior approval to a supreme court of priests. Yet he makes the extreme claim that a statute or ordinance of the prince is a thing of nought if not in conformity with the teaching of the church. Without proposing the administrative absorption of the state into the church, and unable to think in terms of clearly defined concept of legal sovereignty, John of Salisbury nevertheless made such an overwhelming case for the moral sovereignty of the Church over the secular ruler that later protagonists of the papal cause found it none too difficult to go beyond him and plead for legal supremacy as well."¹⁸

Yet for all his sacerdotalism John is no bigot. He is perfectly conscious of the defects in his own order and criticises them with uncommon shrewdness. This is clearly brought out in his account of a conversation he had with Pope Adrian IV, who asked him what people really thought about the Pope and the Roman Church. His reply no Pope without a great sense of humour would have taken without offence. People were saying, he answered, that the Roman Church behaved like a step-mother rather than like a mother; that in

16. J. Dickinson, *op. cit.*, p. 83.

17. *Ibid.*, p. 4.

18. W. Ebenstein, *op. cit.*, p. 192.

it was a fatal vein of varice, ascribes and pharisees laying grievous burdens on men's shoulders, accumulating "precious furniture", covetous to a degree : that the Holy Father himself was burdensome and scarcely to be borne."¹⁹ He stressed particularly the love of money prevalent among the priests : "They give judgement not for the truth but for money. For money you can get anything done today, and without waiting; but you will not get it done even to-morrow if you do not pay a price." The Pope with whom he was talking to was an Englishman and a friend of John, and a person with a sense of humour—laughed after John had finished. He congratulated him for having spoken so frankly, and asked him to report in the future anything unfavourable about the church. Even while closing his book, as though not yet satisfied, he returns to the subject of ecclesiastical vices and abuses, and attacks, above all, the struggle for power and office within the church; he is shocked by the lack of scruples—even when it comes to murder—among contenders for the papal office. It is precisely because of John's capacity to criticise ruthlessly the abuses of his church that his defence of ecclesiastical supremacy over the temporal power proved so effective.²⁰

4. *Nature of Law* : According to John, law is the interpreter of God's equity and justice and the prince is merely the minister of the common interest and the bond-servant of equity. Apart from that which law or equity enjoins or the calculating of the common interest requires, he can have no will in public affairs. It simply means that the king is not over and above the law. It is a supreme instrument of the king for self rectitude, self correction and for maintaining justice in the realm. Manmade law will have no value and lose all its binding force unless it is in harmony with God's law which is equity. He defines equity as a "certain fitness of things which compares all things rationally, and seeks to apply like rules of right and wrong to like cases, being impartially disposed towards all persons, and allotting to each that belongs to him."²¹

Law, to John of Salisbury is the bond which knits together the fabric of the state, and the banisher of crime; and it is, therefore, fitting that all men should live according to it who lead their lives in a corporate political body. All are accordingly bound by the necessity of keeping the law, unless per chance there is any who can be

19. *Op. cit.*

20. W. Ebenstein, *op. cit.*, p. 194.

21. John Dickinson's translation of *Polycraticus*.

thought to have been given the license of wrong doing. However, it is said that the prince is absolved from the obligation of the law; but this is not true in the sense that it is lawful for him to do unjust acts, but only in the sense that his character should be such as to cause him to practice equity not through fear of the penalties of the law but through love of justice; and should also be such as to cause him from the same motive to promote the advantage of the Commonwealth, and in all things to prefer the good of others before his own private will.²² The decision of the king should not be at variance with the intention of equity. "From thy countenance", says the Lord, "Let my judgement go forth, let thine eyes look upon equity, for the uncorrupted judge is one whose decision, from assiduous contemplation of equity, is the very likeness thereof. The prince accordingly is the minister of the common interest and the bond-servant of equity, and he bears the public person in the sense that he punishes the wrongs and injuries of all, and all crimes, with even-handed equity. His rod and staff, administered with wise moderation, restore irregularities and false departures to the straight path of equity, so that deservedly may the Spirit congratulate the power of the prince with the words, "Thy rod and thy staff have comforted me." His power is chiefly exercised against those who desire to do harms to others. As the law pursues guilt without any hatred of persons, so the prince most justly punishes offenders from no motive of wrath but at the behest, and in accordance with the decision, of the passionless law."²³ What John of Salisbury, in fact wanted to emphasise was that the king should be kind and just. His judgment, to borrow a happy phrase, must be governed by, 'tranquil moderation of mind.' It is, thus clear that law in John's conception forms an omnipresent tie running through all human relationships including that between the ruler and the ruled. Consequently it is binding mutually on king and subjects. So true is this that the distinction between a true king and a tyrant was of major importance to John.²⁴

5. *Thoughts on a Tyrant and a True Prince and Tyrannicide* : The thoughts of Salisbury on the distinction between a tyrant and a true prince, and whether or not; tyrannicide is justified, are very significant. None of his predecessors in the middle ages had ever given thought to this significant question of political theory. It was

22. *Ibid.*

23. *Ibid.*

24. G. H. Sabine, *op. cit.*, pp. 246—247.

from John of Salisbury that this problem received a full and careful attention. 'The distinction between prince and tyrant receives from John a sharper definition than had been formulated during all the centuries throughout which the ecclesiastics had denounced hostile rulers as tyrants. He takes up the classical conception on this point and in substance, though not in precise terms, makes the distinction turn on the conformity of the ruler to law.²⁵ The prince, he says, is an image of the Divine Majesty on earth. But if such an image, then he must behave in a fashion worthy of it. If not, he may be distinguished as a tyrant and the moral source of his authority will go. John of Salisbury in fact, was advocating the supremacy and sovereignty of law above all powers. The law in his case, seems to be endowed with majesty and honour. By violating the rule of law, the tyrant assails the grace of God, and "it is God Himself who in a sense is challenged to battle." The prince fights for the laws and liberties of the people, and in the likeness of the Deity is to be loved, worshipped and cherished; the tyrant, the likeness of wickedness, is generally to be even killed. The ruler has a special responsibility to obey the law and protect justice. The tyrant usurps power, oppresses justice, and even enslaves the law to his arbitrary whims. Of all forms of treason, none is more deadly than that which is aimed against the very body of justice." John has clearly asserted that it is not only lawful but even right and just to kill the tyrant, for he who takes the sword shall perish by the sword. In resisting and killing the tyrant, no violation of the law is being committed, as it is the tyrant. "who disarms the laws", and it is, therefore, fitting that "justice arms herself against him. He who does not prosecute and attack the tyrant, sins against himself and against the whole "community."²⁶ In one passage John of Salisbury does qualify his general position on tyrannicide by expressing his hope that the most useful and safest way of destroying tyrants is for the oppressed to pray devoutly "that the scourge wherewith they are afflicted may be turned aside from them." But such occasional qualification does not detract from his general view that tyrants may be lawfully slain.²⁷ It was much later that the author of the "Civil Government" expressed the doctrine of revolution and resistance to tyrants in words that bear a stinking resemblance to John of Salisbury.

25. W. A. Dunning, *op. cit.*, p. 187.

26. W. Ebenstein, *op. cit.*, p. 193.

27. *Ibid.*, p. 193.

According to Locke, absolute government "is no form of civil government at all", and the absolute prince is in a state of nature, outside the realm of law and justice. The true rebels are the arbitrary and oppressive rulers who violate the law, and resistance to such rules is the first step toward restoring the law.²⁸

6. *Contribution of John* : To a casual reader of political theory the political ideas of John of Salisbury will appear to be essentially medieval. But beneath the labyrinth of his ecclesiasticism, there are ideas which may be marked for their new outlook. His conception of the prince as a public power, bound by law; of the Commonwealth as an organic whole; the shrewd assessment of political conduct; a theoretical definition of kingly power, its duties and obligations, are essentially accepted elements of modern political theory. In teaching that prince must further justice and righteousness under divine law, John of Salisbury helped to perpetuate the traditions of Rome and the early Fathers. He also aided the growth of constitutional government from the twelfth century onwards by providing its adherents with a logical basis for disposing tyrannical rulers.²⁹ Mr. Janet was probably right in seeing in John the inspirer of the political doctrine "the detestable theory which on the one hand pushes the hatred of the Civil power as far as tyrannicide, and on the other hand exalts the despotism of priests." For the birth of modern political liberty is, as Dr. Figgis, has reminded us, to be found in the somewhat crude assertions made by dissenting religious bodies of their right to worship and hold their religious opinions unmolested, and even sometimes to chastise, the Great Leviathan of the State. 'Those of us who are sufficiently old fashioned and unrepentant to hold precious liberty of thought and discussion in the sense in which John Stuart Mill understood it, those of us who are sufficiently advanced in view to claim autonomy for university, church or guild; should not forget, or be ungrateful to John of Salisbury.'³⁰

Although, 'his anthropomorphism has been derided; but, after all, he gave the state a soul, he made it human. To him it was a person, fallible, but with infinite potentiality for goodness: no machine, but a creature that breathed, thought, willed, dependent on all the delicate adjustments of the human body, the harmony and the rhythm that give strength and beauty. He applied to it the medieval conception of personality, "the individual subsistence of a rational

28. *Ibid.*

29. L. C. Wanlass, *op. cit.*, p. 120.

30. E. F. Jacob, *op. cit.*, p. 82.

nature"; he made it live indeed. The modern national state he could neither see nor foreshadow, yet his Commonwealth—and in spite of his Roman terms he is perpetually thinking of England—has no small message for our community to-day.³¹ "His Policraticus is not only an important medieval political treatise but also a thoroughly enjoyable piece of literature, modern in its wit, urbanity, learning, balance and perspective. His papalist view point was not commonly accepted by his countrymen in his own day, and it is less well received to-day. But his thought and personality point to those qualities in English political philosophy that later assured it a unique position of influence in the world."³² His most significant contribution was the revivification of the Platonic ideal of the rule of law, which to-day, has been accepted by almost all modern democratic governments in their constitutional theories and practices.

31. *Ibid.*, pp. 82-83.

32. W. Ebenstein, *op. cit.*, p. 194.

CHAPTER 29

St. THOMAS AQUINAS 1227-1274 A.D.

"In this new world, the Roman Catholic Church urgently needed a comprehensive and systematic theory which would put the early conditions of Christianity in harmony with the exigencies of the world diplomacy of the papal power. This task was admirably accomplished by St. Thomas, not so much by the originality of his ideas or the brilliancy of his analysis, as by his extraordinary gift for combining and unifying very different elements of thought in apparently logical and convincing system".

—Dr. O. Jaszi, *"Political Philosophy from Plato to Jeremy Bentham"*.

1. *Introductory* : The only figure of real philosophical significance in the Middle Ages was St. Thomas Aquinas. It was, in fact, he who represented the totality of medieval thought. He was born in 1227 A.D., at Rocca Sicca near Naples in a family that belonged

to the highest Italian aristocracy. The family was related to many European kings and emperors. From his very early age he was brought up by ecclesiastics. Much against the wishes and vehement opposition of his family, at the age of sixteen, he joined the mendicant order of the Dominicans. He studied in the universities of Naples, Bologna and Paris. In Paris he became well known as a teacher of philosophy and theology. He died in 1274 A.D. comparatively at a very young age of forty-seven only.

2. *Scholasticism of the 13th Century* : St. Thomas flourished in the 13th century which was a period of great religious and intellectual movement. It was the best period of scholasticism. In order to understand Thomism, the scholasticism of the 13th century has to be thoroughly understood. "In its most general aspect, scholasticism was a system of thought in which philosophy, in the pure sense, was so subordinated to established theological doctrines that, where philosophy and theology trod on common ground, the latter was received as the absolute norm and criterion of truth."¹ Scholasticism was, in fact, the logical interpretation of religious dogmas. Its purpose was to bring reason to the support of faith and to strengthen the religious life and the Church by the development of intellectual power. It aimed at silencing all doubts and questionings about the Church through argumentations. Its chief characteristics were two, namely, the Church dogma was infallible and unquestionable; and dogma was not contrary to reason. The scholastic movement occupied such an important place in the 13th century that it led Prof. F. Aveling to observe that it was a master-key to the understanding of medievalism.² Its rational element was furnished by the philosophy of the ancients and the theological element by the Church fathers.³

3. *A synthesis of Aristotle and Christianity* : A great supporter of papal claims to supremacy, St. Thomas was one of the two leaders in the development of Church doctrine. Augustinianism is the fusion of Plato and Christianity. Thomism is the synthesis of Aristotle and Christianity.⁴ Aristotle stood for the supremacy of reason, and Christianity for the supremacy of faith. St. Thomas

1. W. A. Dunning, *Political Theories : Ancient and Medieval*, p. 189.

2. Article contributed by the Rev. F. Aveling to the *Social and Political Ideas of Some Great Medieval Thinkers*, edited by F. J. C. Hearnshaw, p. 88.

3. W. A. Dunning, *op. cit.*, p. 189.

4. W. Ebenstein, *Introduction to Political Philosophy*, p. 70.

said that reason and faith were not contradictory. They were rather complementary and supplementary to each other. Aristotle stood for scientific enquiry, and Christianity for divine revelation. What St. Thomas did was to combine and harmonize the teaching of divine revelation on the one hand, and the philosophical and scientific enquiry on the other. The need for such an enquiry was directly occasioned by the re-discovery of Aristotle's works in the early thirteenth century, and the translation of the 'Politics' from the Greek text about the year 1260. Aristotle had proceeded on the assumption that human reason is the final arbiter of truth and that the discoveries of the special sciences are co-ordinated and harmonised in the final synthesis provided by philosophy. St. Thomas did not dispute the validity of these scientific and philosophical principles but he argued that they have to be supplemented by divine revelation if the universe is not to remain an ultimate mystery. The findings of revelation do not, however, conflict with the principles of science and philosophy. All three sources of knowledge are necessary for a complete and synoptic understanding of the universe and man's place in it.⁵

Thus, by blending the religious and rational ideas in a single system of thought, St. Thomas effected a high point of equilibrium that was compatible with the long term interests of the Church. The stand thus taken by him was an enormous concession to rationalism, compared with Tertullian's and St. Augustine's.⁶ All throughout he maintained the faith of Christianity with the rationalism of Aristotle. It led Prof. Maxey to remark that Aquinas was "the sainted Aristotle of Middle Ages".⁷

The adoption of Aristotle by St. Thomas was dictated by the demands of his time. The 13th century in which Aquinas lived was a period of the revival of classical learning. By the middle of the century the great works of Aristotle were made available to the world again. Now the works of Aristotle, which bore the stigma of infidelity, whose study was forbidden at the University of Paris, became a matter of great interest, and as Prof. Sabine writes, "Aristotle was not merely received but made the corner stone of Roman Catholic philosophy."⁸ In this new world, the Roman Catholic Church urgently needed a comprehensive and systematic theory which would put the

5. A. R. M. Murray, *An Introduction to Political Philosophy*, p. 74.

6. W. Ebenstein, *op. cit.*, p. 72.

7. C. C. Maxey, *Political Philosophies*, p. 116.

8. G. H. Sabine, *A History of Political Theory*, p. 218.

early traditions of Christianity in harmony with the exigencies of the world diplomacy of the papal power. This task was admirably accomplished by St. Thomas, not so much by the originality of his ideas or the brilliancy of his analysis, as by his extraordinary gift for combining and unifying very different elements of thought in an apparently logical and convincing system. The endeavour of the great scholastic is vigorously characterized by Bluntschli in saying that his work was an attempt to graft the theological idea of the Church and the highness of the Pope, as a noble twig, on the wild stem of the Aristotelian theory of state. "In order to accomplish this task he built a gigantic edifice of thought in which he amalgamated certain Platonic traditions and the whole system of the great Stagirite with Roman law, the Bible, and the writings of the Fathers and other great theologians of the Church."⁹

It is through this approach of combination and amalgamation that politics, with St. Thomas Aquinas, once more enters "into the circle of the sciences, and assumes a position like that assigned to it by Aristotle, always subject, however, to that principles which permeates all medieval thought—that the dogma of the saint takes precedence over the reasoned conclusion of the philosopher".¹⁰ St. Thomas catagorically states that faith is higher than knowledge in the hierarchy of truth, and that something must be wrong with philosophy if it seems to contradict revelation: philosophy is only relatively certain, whereas theology is absolutely certain, in as much as it is based on divine authority. St. Thomas thus conceives of faith and knowledge as autonomous, in their respective spheres, yet does not separate them in tight compartments. Although faith does not interfere with the ordinary operations of reason, it keeps an overall watch over it, and gives it guidance and purpose.¹¹

St. Thomas, Neapolitan nobleman, Dominican friar, Doctor Angelicus, Doctor Universalis, the intellectual paladin of the Church, was a prolific writer. His works cover the fields of logic, theology, metaphysics, ethics, economics, politics and law. The method adopted by him in his works is strictly scholastic one, magnificent in its accuracy although unreadable to a discursive-minded and 'literary' age.¹² His most important works were 'Summa Theologica' written

9. K. F. Geiser and O. Jaszi, *Political Philosophy from Plato to Jeremy Bentham* (1927), pp. 91-92.

10. W. A. Dunning, *op. cit.*, p. 191.

11. W. Ebenstein, *op. cit.*, p. 72.

12. G. Catlin, *A History of the Political Philosophers*, 1st edition (1950), p. 169.

in eight volumes, his 'Summa Contra Gentiles', his 'Commentaries on the Politics of Aristotle', written in manuscript. The most important of his works was 'De Regimine Principum' (The Rule of Princes), which was designed as a systematic treatment of political science, but was unfinished at the death of St. Thomas. Professedly he is a disciple of Aristotle, who bases very largely his political philosophy on the Aristotelian premises. But as Aristotle himself never ceased to be a Platonist in a profound sense, and Augustinianism itself was essentially Platonic, the philosophy of St. Thomas combined both the Platonic and the Aristotelian traditions. His attempt was "to fuse what without exaggeration may be termed the two great traditions of human thought. The one is idealist, transcendentalist, dogmatic, dramatic, static, authoritarian. The other is common-sense pluralist, empirical, utilitarian, scientific, stressing initiative, dynamic, libertarian. With many grave reservations, we may say that the first finds its early expression in Plato, the second in Aristotle."¹³ His philosophy, for the sake of convenient study, may be studied under different heads.

4. *Aquinas theory of knowledge* : Aquinas theory of knowledge constitutes a very important part of his philosophy through which he secures the triumph of faith over the supremacy of reason. Both faith and reason together build, what Aquinas has termed as, the temple of knowledge. The base of this temple of knowledge is formed by different sciences like economics, politics, sociology, biology and physics etc. which possess a specific character of their own. Economics, as for example, deals with wealth, politics with state, sociology with society, biology with life and physics with the working of the physical phenomena. Since they deal with one particular aspect of knowledge, they may be characterised as more specific and specialized sciences, Thomas Aquinas considers special reason as the instrument of special sciences. Above these specific and specialized sciences, there is philosophy which is more of a general character. It is more general because it seeks to formulate the universal principles underlying the various sciences. It studies the world as a whole. And since philosophy possesses a general character. Aquinas considers general reason as the instrument of philosophy. So far both Aquinas and Aristotle are in perfect agreement. But Aquinas was not satisfied with this position and he goes far further than Aristotle when he says that over and above philosophy, there stands theology whose instrument is faith or revelation and not reason. Reason gives us truth and knowledge

about the world of nature which are valuable; but they do not constitute the whole truth and the whole of knowledge. There is something beyond them which can be revealed to us by faith; it is found in theology. It is, therefore, wrong to say that there is contradiction between philosophy and theology or that they work at cross purposes. In fact, "theology completes the system of which science and philosophy form the beginning, but never destroys its continuity. Faith is the fulfilment of reason."¹⁴ It is in this way that Aquinas incorporates Aristotelianism into Christian thought giving, however, precedence to the latter.

5. *Theory of Nature* : Conforming to his theory of knowledge, Aquinas developed his theory of nature. Like knowledge, the universe itself constitutes a hierarchy reaching from God at the top to the lowest of living creatures. All have their natural end or function and each living creature, in striving to achieve its natural end, contributes, in a greater or less degree, to fulfilling the purpose of the universe. In all cases it is higher that rules over and makes use of the lower, as God rules over the world or the soul over the body. Every being howsoever lowly he may be, but since he has his station, his duties and his rights, contributes to the perfection of the whole. The essence of the whole scheme of the universe is, therefore, purpose and subordination to an end. In this plan of the universe, man's own position is of special importance because he is at once akin to the lower animals in virtue of his body and to God in virtue of his soul. It is on this fundamental fact that there rest the institutions and the laws by which his life is directed.

6. *Origin, nature and purpose of political authority* : Aquinas theory of origin, nature and purpose of political authority is in close conformity with his theory of nature. The medieval political theory in pre-Thomistic days was unfamiliar with Aristotle's 'Politics and Ethics'. It viewed the origin of political authority as a result of human sin and evil. St. Augustine himself had been a typical exponent of this idea. St. Thomas rejected this theory of the origin of political authority. Following Aristotle closely, he attributed the origin of the state to the social nature of man. "Man is naturally a social being and so in the state of innocence he would have led a social life." But for the organization of social life and for looking after the common good, there must be some institution of social life. And, secondly, if some man surpasses others in knowledge and justice,

it would be wrong and unjust to ignore that superiority for the benefit of all. "St. Thomas thus bases the need for government on man's social nature, and the organization of government on the superior wisdom and morality of the ruler for the benefit of the ruled. In both views, his kinship to Aristotle is evident, and it constitutes a sharp break with the typical conceptions of state as had been prevalent until Aristotle's *Politics* became known again in the thirteenth century."¹⁵

As regards nature and purpose of political society, St. Thomas, like all nature, considers it to be a system of ends and purposes in which the lower serves the higher and the higher directs and guides the lower. The common good is what defines and determines the rights and duties of both. Human society, viewed in this light, is a sort of hierarchy consisting of different classes having functions arranged in such a manner that each may contribute to the realization of the common good. The farmer and artisan, as for example, contribute by supplying material goods, the priest by prayer and religious observance and the soldier by contributing to the defence of the country. The common good, however, requires that such a system should have a ruling authority, just as the soul rules the body or any higher nature rules the lower. The founding and ruling of states, the planning of cities, the building of castles, the establishment of markets, and the fostering of education, all have been compared by St. Thomas to the providence whereby God creates and rules the world. The authority of the ruler over his subjects is not arbitrary but exists only in so far as it promotes the good of the community as a whole. The office of the ruler should, therefore, be regarded as a trust for the whole community. It is, in fact, a ministry derived from God. And since this ministry exists for the happy ordering of life, the ruler cannot rightfully exercise power or take part beyond what is needed. The ruler should so adjust the activities of each class that men may lead a happy and virtuous life which is the true end of man in society. But Aquinas, like a true Christian, was not satisfied with the achievement of material happiness alone. His Christian, other-worldly concern leads him to the view that the Aristotelian doctrine of the good life is still one step short of the ultimate purpose of existence, because "through virtuous living man is further ordained to a higher end, which consists in the enjoyment of God". Whereas Aristotle, whose philosophy and ethics were humanistic and this-worldly, saw the end of man in values that exist within himself,

St. Thomas sees, in addition to such man-centered values, an 'extrinsic' good that does not exist in man himself and that is yet the supreme value, namely, "final beatitude which is looked for after death in the enjoyment of God."¹⁶ He concludes his argument by saying that secular government is subject to the Church, because the former is concerned with intermediate ends, whereas the latter is concerned with the ultimate end, the salvation of souls. But it is to be noted that St. Thomas regarded, "an orderly political life as a contributing cause even to this ultimate end. More specifically it is the function of the earthly ruler to lay the foundations of human happiness by maintaining peace and order, to preserve it by seeing that all the needful services of public administration, of judicature, and of defence, are performed, and to improve it by correcting abuses wherever they occur and removing all possible hindrances to good life."¹⁷

7. *Aquinas theory of Obedience and lawful Authority* : According to St. Thomas Aquinas the political authority exists for a moral purpose, and if that moral purpose is to be properly served by the powers that be, it should be limited, and it should act in accordance with law. If it does not do that, it is tyranny. Like John of Salisbury, he condemned a tyrannical rule, but does not justify tyrannicide. The recognition of the right of private citizens to kill tyrants, in his view, involved rather more chance of losing a king than of being relieved of a tyrant. The anarchic character of the argument for tyrannicide has never been more clearly exposed, or its conclusions more concisely refuted, than by St. Thomas.¹⁸ On the question of obedience or disobedience shown to constituted authority, St. Thomas was absolutely clear in his mind. His argument was that since government was related to the divine order, and the commands of God included the duty of obedience to superiors, "disobedience to the commands of a superior was a mortal sin." He regarded sedition, no doubt, a deadly sin, but justifiable resistance to tyranny, he denied to be a sedition. In fact, both Aquinas and Aristotle had "proceeded from the principle that power is justified only in so far as it serves the common good." He was interested in the moral limitations to be imposed upon rulers, with

16. W. Ebenstein, *op. cit.*, pp. 73-74.

17. G. H. Sabine, *op. cit.*, pp. 219-220.

18. W. A. Dunning, *op. cit.*, p. 200.

the legal or constitutional phases of the subject he was not very much concerned.¹⁹

St. Thomas does not define, anywhere, systematically, what he meant by a 'lawful authority'. His lawful authority, perhaps, is that which is distinguished from tyranny. His conception of a lawful authority was, as it is clear from his writings, one of a government which was limited, and in which both the ruler and his subordinates were chosen by the people. The principle involved was one of solidarity and unity, in which all the individual citizens, from the supreme ruler downward, conspired together toward a single end, which was the greatest absolute natural good of each one of them.²⁰ The achievement of perfect unity with peace was the ideal. This led him to conclude that monarchy for this purpose was the best form of government as it could maintain peace by effecting complete unity. But he suggests that the power of the monarch should "be so tempered that he cannot easily fall into tyranny". It is clear from all this logic that the promotion of the common good was always the main concern of the government. By Aristotle the state was regarded as prior to and more important than the individual, whose duty was to become a good citizen and thus further the end of the state to which he was subordinated. For St. Thomas, on the contrary, the position is reversed. It is the duty of the individual citizen to become a good man; and the state is regarded as an instrument to be employed to this end.²¹

8. *Aquinas theory of law and justice* : Aquinas theory of law and justice constitutes the most important part of his political philosophy. Whether a government is lawful or unlawful, just or unjust, is to be determined by the fact whether that government acts in accordance with the canons of law and the principles of justice. His theory of law and justice "is the channel through which the doctrines of Aristotle, the Stoics, Cicero, the Roman Imperial Jurists and St. Augustine, blended into a round whole, were transmitted to modern times."²² The vagueness and ill-formulated ideas that surrounded the conception of law in the Middle Ages, were clearly swept away by philosophers' political approach and moral and religious thinking. In his 'Summa Theologica' he defined law

19. G. H. Sabine, *op. cit.*, p. 220.

20. F. J. C. Hearnshaw, *op. cit.*, p. 96.

21. *Ibid*, p. 97.

22. W. A. Dunning, *op. cit.*, p. 192.

as "an ordinance of reason for the common good, promulgated by him who has the care of a community".²³ A critical examination of this definition is found to imply three things. Firstly, the law is the product of reason. Secondly, the law is the command of the sovereign. Thirdly, the common good is the basis of law. Seen in this light, his definition marks a new stage of development in the conception of law. To the Greeks the law was a conclusion of reason, and not an expression of will. Hence it was essentially impersonal in character. To the Roman jurists it was either a conclusion of reason or an expression of will. To St. Thomas Aquinas, it is at once a conclusion of reason and an expression of will. It combines both the practical and the philosophical elements together. It clearly sets forth the idea that common good is the end of law. It must have its source either in society as a whole, or in the public person who has the care of the society. "The law should have a sanction behind in order to be effective. The will of a private individual that lacks sanction, although a conclusion of reason, cannot however, be regarded as law."

The full scope of this definition is revealed in his fourfold classification of law. Prof. Sabine calls his classification as the most characteristic part of his philosophy.²⁴ Aquinas distinguished between four kinds of law, viz., (a) eternal, (b) natural, (c) human, and (d) divine.

(a) The *Eternal Law* is the controlling plan of the universe existing in the mind of God.

(b) *Natural Law* is the participation of man, as a rational creature in the eternal law through which he distinguishes between good and evil and seeks his true end.

(c) *Human Law* is the application, by human reason, of the precepts of natural law to particular earthly conditions.

(d) The *Divine Law* in the special sense is that through which the limitations and imperfections of human reason are supplemented, and man is infallibly directed to his supermundane end—eternal blessedness : it is the Law of Revelation.

Among these four kinds of law, the first and the last are only the concern of theologians. But in reviving and repolishing the

23. Quoted by Ewart Lewis, *Medieval Political Ideas*, p. 48, from *Summa Theologica*, article 4.

24. G. H. Sabine, *op. cit.*, p. 221.

Roman doctrine of natural law, and in stressing the rational and volitional elements in human law, St. Thomas made a far-reaching contribution to political thought. His conception of natural law does not presuppose the existence of universal and immutable canons of right reason, but rather of a body of rational precepts which may change and grow as human reason and human conditions undergo change and development. Human law—the ordinary law which governs men in society—should be a rational growth of natural law, but this does not mean that any irresponsible person's cogitations can give birth to law. The reason which furnishes the sanction for human law must have its origin in the thought and will of society as a whole, or in some person authorised to speak and act for society as a whole.²⁵

His concept of law was broader in its scope than merely a means of regulating the human relationships. His law was part and parcel of the whole system of divine government whereby everything both in heaven and earth is ruled. He regarded everything emanated from the reason of God regulating the human relationships between all creatures, animate and inanimate, animal or human.

Following the traditions of the Roman Jurists, St. Thomas defines justice "as the fixed and perpetual will to give to everyone his own rights". This definition of St. Thomas is in close conformity with the Aristotelian principle of distributive justice. Here also as elsewhere he makes Aristotle as his guide when he accepts equality as the very basis of justice. The establishment of equality in society depends upon the enjoyment of two kinds of right, namely, (1) natural and (2) positive. Natural justice is established "when one gives so much that he may receive back precisely the same". Positive justice is established when popular custom or an order of the king require that two things shall be regarded as equal. It is this that makes distinction between natural and positive rights. St. Thomas Aquinas recognizes written human laws as the very source of rights and justice. These written human laws have validity and binding force not because that they are written but because they derive their force from nature itself. In other words, that they have reason as their very basis. Accordingly, written law is vitiated and loses binding force whenever and so far as it deviates from natural justice.²⁶ It is here that St. Thomas "bring into harmony the

25. C. C. Maxey, *op. cit.*, p. 118.

26. *Summa Theologica*. II, 2, 60, 5.

Aristotelian, the Roman Stoic and the Christian conceptions as to the basis of social order".²⁷

9. *Justification of Slavery and private Property*: Like Aristotle, St. Thomas justifies both the institutions of slavery and private property. Aristotle's defence was based on differences in intellectual endowments. St. Augustine regarded it as a divine remedy for the punishment of sin. But Thomas looked upon it as something designed to stimulate bravery in soldiers. He looks upon it as a stimulating agent. It gives a sort of warning to the soldiers never to be vanquished, as vanquished soldiers were to become slaves.

According to St. Thomas a man has a legitimate right to private property. "The right to private property is not opposed to natural law, but in addition to it, is devised by human reason." It is necessary for human life for three reasons. First, because a man is more careful to procure what will belong to himself alone than what would be common to many or to all: since each one would avoid labour and leave it to another to procure what would belong to the community as happens where there are a multitude of servants. Secondly, because human affairs are conducted in a more orderly way when each man has his own responsibility for procuring particular things, whereas there would be confusion if everyone immediately had to look after everything. Thirdly, because a more peaceful state is insured to man when each one is satisfied with his own. Thus we see that quarrels arise more frequently among those who possess things in common without partition.²⁸ It is exactly the same reasoning which was put forward by the author of the *Politics*.

10. *Supremacy of papal Authority*: St. Thomas Aquinas gives to the papal authority a position of overwhelming pre-eminence. The initial assumption of his whole philosophy was that certain truths, and those of the highest importance to man, were not demonstrable by reason but must enter human cognition through faith and immediate divine revelation....The depository of judgment and authority in respect to all matters concerned with this reserved field, was the Church whose voice was final, and was the voice of God himself.²⁹ It is in this way that Aquinas established the supremacy of the Church over the secular government. The

27. W. A. Dunning, *op. cit.*, p. 196.

28. *Summa Theologica*, 2a, 2ae pp. 57 and 66 (Article 2).

29. W. A. Dunning, *op. cit.*, p. 205.

function of secular government was to create conditions by which men may lead virtuous lives for eternal salvation. Eternal salvation cannot be achieved without the help of the Church, and, therefore, on all questions of faith the Church was the final authority. As the spirit controlled, and was superior to the body, in the same way, the Pope controlled, and was superior to secular government. The Pope must be obeyed by everyone including the secular rulers, in everything whether relating to temporal or ecclesiastical affairs. The king might be the image of God, but if he defied the authority of the Church, he could be excommunicated. Aquinas had an immense faith in the fundamental importance of unity disturbed by medieval disorder and anarchy. For that end in view, he suggests the supremacy of the Pope over all persons and all classes in society.

St. Thomas Aquinas contends that the "ultimate purpose of social life is not merely virtuous living, but through virtuous living to attain to the possession of God. If man and society could attain this supreme and human power, it was the king who could guide them in the right direction. However, St. Thomas argues, the possession of God can be attained only by divine power, and human government is unable to guide men towards this end. This ministry of the kingdom of God is not in the hands of earthly kings, but of priests, and above all—"the chief priest, the successor of St. Peter, the Vicar of Christ, the Roman Pontiff", to whom all kings are to be subject as to Christ himself. Temporal authorities are to be obeyed in so far as their limited power is sufficient for the realization of the Christian state, but beyond this point papal supremacy is not to be denied. The state and the Church, therefore, were not mutually exclusive but complementary. After examining this relationship between papal and secular authority, one may be easily led to conclude that the political obligation in his case is completely subordinated to religious obligation. The state is simply made fit within the scheme of the Church.

11. *Aquinas' place in the history of thought* : St. Thomas Aquinas was a scholastic philosopher in the real sense of the term. Even now, he is regarded as "the pre-eminent guardian and glory of the Catholic Church". He solved the apparent dualism, intolerable to the medieval philosophical mind, as it was foreign to the whole temper and cultural spirit of the time, between the two orders of sovereignty—temporal and spiritual. His grand success to reconcile between reason and faith has made his authority as timeless. His works still remain the intellectual backbone of all subsequent

Catholicism. One result of the writings of St. Thomas was that the Roman Catholics gradually abandoned the theory that religion, acting through the machinery of the state, should dominate science and philosophy. In the political sphere the same tendency was manifested by the gradual weakening of papal claims to appoint and depose kings, and by the substitution of nationalist sentiment for ecclesiastical authority as the dominating force behind government. Thus it is true to say that St. Thomas contributed in no small measure to the evolution of the modern nation-state built on a secular foundation.³⁰

He believed profoundly in the rational order of a universe whose being was derived from the reason of God ; he believed profoundly that through study of that order man could attain to a rational knowledge of God which would necessarily be harmonious with the more direct and fuller knowledge granted by revelation ; and believed profoundly that through the rational ordering of his own concerns and the fulfilment of his own nature, man could share in the fulfilment of the divine plan and attain positive values which might fittingly be crowned and perfected by the gifts of grace. Thus he welcomed the wisdom of the pagan Aristotle, feared by many of his colleagues, and used it confidently to strengthen and clarify Christian thought. And thus, when he came to write on law and government, he was able to reorient the medieval tradition by treating them as positive means to the good life. For the rest, he had a wide range of scholarship ; a magnificent local mind, of the sort that does not lose itself in detail but strikes at fundamentals ; a genius for systematic and forthright statement ; and a good deal of sturdy common sense.³¹

Although it is said that he built with straw, yet it is a fact that he made bricks of a pyramid higher in human civilization and thought than any yet raised by a single man since Aristotle. It was indeed a pyramid based on revelation and upon the Neoplatonic theology. His philosophy "expresses most maturely the convictions, moral and religious, upon which the medieval civilization was founded".

30. A. R. M. Murray, *op. cit.*, pp. 76-77.

31. Ewart Lewis, *Medieval Political Ideas*, Vol. I, 1st edition (1954), pp. 41-42.

CHAPTER 30

THE SUPPORTERS OF IMPERIAL AUTHORITY

"The beginning of the fourteenth century was marked by a violent reaction against the Church's claim to omnipotence. Many men were eager to check the extravagant claim to absolute sovereignty made by the Papacy on its own behalf. They concentrated on developing a rival concept of society which was essentially secular. The controversy between church and state entered upon a new phase. The state and not the Church focussed all attention. In a short forty years the secular apologists formulated an elaborate concept of the state in which its former dependence on the church was totally abolished."

—*Phyllis Doyle.*

[I] Background

As against the supporters of the ecclesiastical cause, there were a number of thinkers who had advocated the supremacy of secular authority. Among those thinkers who had trenchantly argued the secular cause, mention may be made of John of Paris, Pierre Dubois,

William of Ockham, Dante and Marsilio of Padua. All of them were essentially secularists except Dante who is still profoundly medieval in his attempt to relate politics to a religious world-embracing ideal. He sets out to define the goal of civilization and impose a philosophically conceived unity on the diversity of political facts. Since the ideas of Dante and Marsilio of Padua are significant in their bearing on medieval political thought, they have been treated separately in the succeeding chapters. The political ideas of Nicholas of Cusa and John Gerson have been explained in a separate chapter on the Conciliar Movement. In this chapter we have confined ourselves to the discussion of the political ideas of John of Paris, Pierre Dubais and William of Ockham.

St. Thomas Aquinas had suggested that the most important functions of the state was the establishment of peace which was so essential for achieving the highest life of spiritual contemplation. This idea loomed ever larger in the eyes of such men as Dante, Dubois, John, Marsilio and Ockham. All of them believed that the supreme necessity and the primary goal of any effective organization was the establishment of peace. They regarded the church as the arch-disturber of European peace. The church was considered as the destroyer and not the promotor of peace. Distrust of the church and disappointment in its failure to maintain peace discredited the ideals with which it had so long dominated society. A new end was conceived as the most desirable for social effort; peace not salvation was to be the goal of human organization.¹

In the late thirteenth and early fourteenth centuries, the intellectual development drove men still further away from the theological concepts of the medieval schoolmen. The school of Paris quickly accepted an important distinction made between philosophy and theology. The pursuit of truth and the thirst for righteousness were no longer automatically regarded as identical. Truth and God were not synonyms.² From the cramping bonds of the theological doctrines, the release in intellectual life was further promoted by the spread of intellectual scepticism. The original impetus came from the Sicilian court of Frederick II. Normans, Arabs, Mohammedans, Christians, atheists, men of every race and religion had gathered there in the first half of the thirteenth century to discuss and dispute with complete freedom on theology, philosophy, art, medicine and other

1. Phyllis Doyle, *op. cit.*, pp. 88-89.

2. *Ibid*, p. 89.

sciences, anything in fact which their varied experiences dictated as worthy of intellectual exchange. An atmosphere of critical inquiry towards their own modes of life and thought was engendered amongst the westerners. It did not melt away with the death of Fredrick; but flowed upwards from the south; penetrated the north Italian Universities; passed onwards to Paris where it settled and imbued new students with a desire to question the fundamentals of their faith in a way distressing to the ecclesiastical authorities in command of the pedagogic staff.³

The leading nations on the European continents had grown in strength and unity. 'The strong national monarchs wanted to unify their realms, while the Church through its own courts and canons wanted to assert its independence of national monarchies. During the first part of the fourteenth century, France was governed by Philip IV the Fair who had not only the ambition of augmenting French power, hegemony and prestige but also of controlling the papacy and becoming the Roman emperor. Pope Boniface VIII was the Pontiff at that time. Philip advanced the plea that he had the right to tax church property in the event of war. Canon law forbade a king to tax such property to support a war against another Christian King without the Pope's consent. Philip was at war with England and proceeded to tax church property. This sharpened the Church-Empire conflict and a violent debate ensued on the question of the supremacy of the state—church powers'. Philip the Fair of France had at his court the services of the two great legal luminaries who have been credited by some historians as the actual rulers of the country. When Philip became embroiled with Pope Boniface VIII, they were ready at hand to rush 'to his aid a powerful battery of plausible arguments to put the Pope entirely in the wrong.' They were John of Paris and Pierre Dubois.

[II] John of Paris

In his *De Potestate Regia et Papali* written in 1302, John of Paris put forward very effective arguments to support the authority of the king. It was an elaborate treatise on the state-church power in which he laid the proposition that the authority of the kings of France was traceable to pre-Christian times; that the Franks had never acknowledged the suzerainty of the Roman emperor, the Pope

3. *Ibid*, pp. 89-90.

or anybody else.⁴ He refuted the claim advanced by Giles of Rome that all secular power was derived from the Church. He contends that both the church and the state owe their existence to God. His purpose was to show that whatever the relations between the Papacy and the empire, there was no ground for holding the king of France subject to the Pope. He also turned upon the Donation of Constantine and attacked its legal validity on the ground that the emperor could not lawfully have alienated part of the empire. Even if it is supposed to be right, it could not have applied to France, because Franks had never been subject to the empire. And even if it is to be admitted that they had been, they might well have gained their independence by prescription. He distinguished forty-two reasons which had been assigned for the subordination of secular to spiritual authority and refuted them one by one. Coercion, he says, belongs to the secular-arm. Excommunication, as applied for instance to a heretical ruler, may lead his people to refuse obedience, but this is incidental and implies no right in the spiritual power to coerce rulers. In law the right of a pope to depose a king is no greater than that of a king to depose a pope. Both can protest and the protest may have weight; both may lawfully be deposed, but only by the properly constituted authority that elects them. He denies completely the papal claim to a unique type of authority. The primacy of the Pope was mainly a matter in administrative organization, since in spiritual authority all bishops are equal. The pope may resign and also may be deposed for incorrigible misconduct. He regards the spiritual authority as residing in the church itself as a corporation :

*"Certainly it would be the best government for the church if under one pope, representatives were chosen by and from each province, so that in the government of the church all should have their share."*⁵

He justified resistance to the pope on the same general principles that medieval writers used to justify resistance to a king. Although no legal process will run against the pope, but if he causes rebellion and cannot be persuaded to stop.⁶

"I think that in this case the Church ought to be moved to act against the court; the prince may repel the violence of the papal sword with his own sword, within measure, and in

4. Quoted from C. C. Maxey, *op. cit.*, p. 119.

5. John of Paris, quoted from G. H. Sabine, *op. cit.*, p. 284.

6. G. H. Sabine, *op. cit.*, p. 284.

*so doing he would not be acting against the pope but against his enemy and the enemy of society.”*⁷

As regards property, John of Paris says that clergy may have property because it is needed for doing spiritual work. But its right of legal control is to be enjoyed by the secular authority. Property, he says, may be required by the Pope for spiritual work. But it does not mean in any way that the right of spiritual authority extends to an indirect control over property. He denies the ownership of ecclesiastical property by the Pope. It belongs to the whole community as a corporate body, and the Pope is merely its executive dispensator. Since property does not belong to the Pope but to the Church, as he may be held responsible for any of its misuse. He believes in individual's right to private property which has to be respected by the King. The private property of a layman may be regulated only when the public good requires.

Although John of Paris did not develop any systematic political theory, but his work was highly significant both for its own time and for the future. For the independence of the French monarchy he developed a very fine case both on legal and historical grounds.⁸ He drew a clear distinction between the ownership of property whether possessed by the church or by some private individual. He explained its political control by the king and its administration on behalf of the church. For the independence of secular and spiritual authority, he restated his arguments and supplemented them with a penetrating analysis of the nature and purposes of spiritual power. His analysis, on the whole, favours the view that spiritual authority was not properly a legal power at all. Either it does not require coercive power, and if it does, this must be sought from the side of the secular power.⁹ “As compared with the argument of Egidius, John's position is a striking example of the secularizing and rationalizing influence which Aristotle had already exerted, even within the limits of thought undoubtedly orthodox.”¹⁰

[III] Pierre Dubois (1250-1320)

Another ardent defender of Philip the Fair of France as against Baniface VIII was Pierre Dubois. He was a French lawyer and

7. Paris, quoted by G. H. Sabine, p. 284.

8. G. H. Sabine, *op. cit.*, p. 285.

9. *Ibid.*

10. *Ibid.*

political philosopher in the reign of Philip the Fair. He studied in the University of Paris and became a successful lawyer in Countances (Normandy), most probably his birth place. By about 1300 he was advocate, of royal cases and he represented Countances in the Estates-General of 1302 and 1308. His bright career of authorship is significant, not because he expressed or demonstrably influenced royal policies, but because he was one of the most intellectually adventurous of contemporary pamphleteers, and perhaps the earliest of the Great French lawyers, who sought an active role in politics.¹¹

His "De-Abreviation" was written about 1300 and it contains the pith and marrow of his scheme for the aggrandisement of the king of France. The first part contains a plan for world domination and the second an attack on the ecclesiastical jurisdiction in France. The book upon which his fame rests is however the "De Recuperation Terre Sancte" written in 1306. The ostensible purpose of his book was to set forth a scheme for a crusade to recover the holy land. It cannot be denied that the crusade was something in the nature of an excuse, and that the author was far more interested in the series of political scheme which he had already adumbrated in the De Abreviation.¹² 'Recuperation' is his masterpiece in which he brings together all his political ideas. Crusade, he regarded as a great duty of the Christian world. It was impossible to achieve this idea without peace among the Christian nations. But the question was how such peace could be obtained? Dubois' reply in this connection was that this could be possible "only by inviting the whole world under the rule of the king of France, whose sway, either as direct ruler or as a suzerain, must extend over East and West, Moslem and Christian alike; and the chief means by which this end was to be brought about was by abolishing the temporal power of the Papacy, the cause of so much evil in the past, and transferring it wholesale to the king of France. The funds necessary for the crusade are to be obtained by taking possession of all the lands and temporalities of regular and secular clergy, paying them in return annual pensions sufficient for maintenance."¹³ He also draws a careful portrait of an ideal king of France, setting forth his conception of the new monarchy and incidentally his ideas on the radical reformations of French education, law and administration.

11. *Encyclopaedia Britannica*, Vol. VII, 1768, p. 726.

12. Eileen Power, Article contributed in *Social and Political ideas of Some Great Medieval Thinkers*, edited by F.J.C.Hearnshaw, *op. cit.*, p. 14.

13. *Ibid.*, p. 149.

According to G. H. Sabine, 'His plan was that France should step into the international position assigned by medieval thought to the empire and left vacant by its weakness. Substantially the proposal was a European alliance for the abolition of war, with France at its head, and having a representative council and a standing court to adjudicate disputes between the allied powers'. According to Dubois the French King was eminently suited to establish peace and head the domination of the world. 'It is the peculiar merit of the French to have a surer judgment than other nations, not to act without considerations, nor to place themselves in opposition to right reason.'¹⁴ But it is necessary that the king should be born and bred in France and without leaving that happy land should exercise his beneficent rule, for in France the climate is more salubrious and the very stars take on a better aspect and exercise a happier influence than elsewhere; let the king of England and such "lesser breads without the law" take the actual leadership of the crusade; the king of France must stay at home and address himself to the procreation and education of offspring.' The bold and the simple expedient by which this dream of a world living at peace in submission to France is to be carried out is set forth in both the "De Abreviation" and "De Recuperation."¹⁵ His views, in this connection, have been evaluated as essentially medieval in character. But, 'if his view of peace by world domination is medieval, his view of a national king is essentially modern. His is the first real delineation of the modern state in the history of political ideas.'¹⁶

His attack on the temporal powers of the church is worthy of notice. He gives a detailed account of the degeneration of the Catholic Church, and makes a vehement attack on Pope, cardinals, secular clergy and religious orders. According to Dubois the main reason of their failures and misdeeds was due mainly to the possession of property and exercise of temporal powers. "Wars are stirred up, number of princes are condemned by the church, together with their adherents, and thus die more men than can be counted, whose souls probably go down to hell and whom nevertheless it is the Pope's duty to save. Because of his sanctity the Pope should aspire only to the glory of pardoning, praying, giving judgement in the name of the church, preserving peace among catholic princes, so as to bring

14. Dubois, quoted by E. Power, *op. cit.*, p. 149.

15. E. Power, *op. cit.*, p. 150.

16. *Ibid.* p. 152.

souls safe to God; but he shows himself to be the author, promoter, and exerciser of many wars and homicides and sets an evil example. It depends on him to conserve his ordinary resources without being turned from the care of souls ; it is in his hands to rid himself of worldly occasions and to avoid the cause of so many evils. If he will not accept so great an advantage, will he not incur the reproaches of all men for his cupidity, pride and bold presumption ?”¹⁷ He, therefore, suggested the Pope to hand over all his temporal authority to the French King, and to receive a handsome annual pension in exchange. He condemns both the secular and regular church. He urges the bishops to hand over their goods to laymen. He is equally hostile to the Benedictines, although he is a little kind to friars. ‘His views on nunneries are interesting; the number of nuns in each is to be drastically reduced and wherever possible they are to be converted into schools for girls.’

The political thinking of Dubois is not very original. He was a product of his own age and whatever he wrote was already very much in the air. ‘His conception of a national king was founded upon the actual facts of the French King’s power and the beginning of a conscious sense of nationality both in England and France, where they were manifested in the resistance of both rulers and peoples to the demands of the Popes... His plan of world domination ignores the fact that the king of England may not agree to do homage to France, and that the Lombard cities may prove as hard to conquer as Flemish cities were proving even as he wrote.’¹⁸ What is original and modern and striking about Pierre Dubois, what makes his book one of the most remarkable treatises of the Middle Ages, is the temper of his mind, his essentially philosophic outlook, his scorn of the literal use of Biblical texts to make debating points, and of the absurd ramifications of the sun and moon argument, above all his openness to new ideas and his dislike of an unintelligent conservatism, whose only criteria is precedent.¹⁹ There can be few books more remarkable in their prevision of the future than the “Recuperation” of Dubois. If Dante’s *De Monarchia* was “an epitaph rather than a prophecy”, Pierre Dubois’ book was a prophecy rather than a programme.’ Though many of his notions are hopelessly unpractical and visionary, the spirit in which he presents them is

17. P. Dubois, quoted by E. Power, *op. cit.*, p. 154.

18. E. Power, *op. cit.*, pp. 161–162.

19. *Ibid.*, p. 162.

remarkable, and foreshadows the approaching philosophy of the Renaissance.²⁰

[IV] William of Ockham (1280-1349)

In the controversy between Pope Boniface VIII and the French King, Philip the Fair, the cause of the king had been championed by his two great lawyers, John of Paris and Pierre Dubois. In 1314 John XXII was the Pope, and when his terrible clash took place with King Louis of Bavaria who had been chosen in 1314 by 5 electors as the Emperor as against Fredrick of Hapsburg who had secured 4 votes, the imperial case was supported by two great Franciscan Friars, William of Ockham and Marsilio of Padua. Both of them became his ardent supporters and advocated his case with great vehemence, skill and ability. On behalf of the king they wrote a series of diatribes against the Pope.

Born in 1280, William of Ockham was a celebrated English man. He was a product of the University of Oxford. He was accused of heresy by the Chancellor of Oxford, and was confined to his convent from 1324 to 1328. About 1328 he joined the court of Emperor Louis of Bavaria. The ideas that he developed during his fierce struggle against the Pope are said to have laid the foundation of modern theories of government. His two important works in which the doctrines of his political philosophy are extensively discussed are the "Eight Questions Concerning the Power and Dignity of the Pope" and the "Dialogue". The former treatise is a short, and the other, though in the incomplete state, is an enormously long treatise. His political theory is less complete and has been less consistently worked out than Marsilio's. Since he was primarily a dialectician and a theologian, the development of political philosophy was not his object.²¹ He represented more typically than Marsilio of Padua the reaction of the Christian Community against the papal absolutism which had proved to be disastrous both for the Church and for Europe.²² His main purpose was to enlighten public opinion against constituted authority whether clerical or imperial. He definitely stood for the rights of citizen as against the high-handedness of their rulers. He asserted that the powers of the Pope were limited in matters of faith, and accepted the right of minority to resist coercion. He condemned the papal sovereignty both from the stand point of

20. G. H. Sabine, *op. cit.*, p. 304.

21. G. H. Sabine, *op. cit.*, p. 304.

22. *Ibid.*

Christianity and as well as a policy. William, in fact, wanted to assert the rights of the whole body of Christian believers as against the autocratic and audacious claims of the Pope.

Essentially a number of the Franciscan order who advocated a life of purity and poverty for the clergy, he vehemently denied that the authority of the king was derived from the Pope, and that the ceremony of coronation made his authority as lawful. He rejected the idea that the papal confirmation was necessary for election of a king. The ultimate source of imperial authority were the people themselves, and the 'College of Electors' alone could speak on their behalf. The basis of royal power, according to William, was the consent of the governed. The authority of the King was limited by considerations of justice and expediency. All authority, he asserted, must be justified by the common good and by its consonance with natural justice and sound morals. Without this sanction force becomes arbitrary and government "a highway robbery on a large scale." The ruler is subject to the law of nature. This particular idea was destined to have a distinguished career in the annals of absolute monarchy.

It is sometimes said that William of Ockham made no positive contribution to political thought. It may be partially true because he did not try to develop a systematic theory of the state. But his views are highly significant as some of them are the slogans of modern political theory. His ideas on equality, liberty, justice, the taking away of private property for the common good, the consent of the governed as the basis of all authority, a general assembly representing the people, the rights of minority to assert against tyranny, and the purpose of the state as the welfare of the governed, not only influenced the political thought of the Conciliar Movement but also exercised a great impact on the growth and development of subsequent democratic thought. If he failed to make any great contribution it was owing to the reason that he was more concerned with doctrinal questions than with forms of government. His political philosophy was characteristic of the state of political thought in the mid fourteenth century both for what it saw and for what it failed to see. It still moved within the limits of the old discussion about the relation between the Pope and the emperor.

CHAPTER 31
DANTE ALIGHIERI
(1265-1321)

"Dante's political philosophy was related both to his exile from Florence as a result of factional political quarrels and to the endless dissension between the papal and imperial parties in Italy during his lifetime. In this situation he saw no hope for peace except in the unity of the empire under the all embracing monarchy of the emperor."

—G. H. Sabine

1. *Introductory* : Dante was born in Florence in 1265 in a distinguished family. He was educated in Dominican Schools in Florence where he acquired considerable knowledge of the theology of Albert the Great and Thomas Aquinas. His wide reading gave him a rich knowledge of classical and medieval vernacular literature and oriented him in contemporary intellectual trends. After 1295, he took a slight part in public life. In 1300, he was involved in local politics as a Ghibelline in opposition to Boniface VIII. In 1301 when he was absent from Florence, political fortune brought about the ascendancy of the papal influence and in January, 1302, Dante's name appeared on the list of those who were banished from

Florence. Although he was forced to spend the last third of his life in exile, forbidden to return to Florence under the threat of being burned alive, he made use of his wanderings to enrich his experience and enlarge his horizon. He planned as a sort of vernacular encyclopedia for the education of those who could not read Latin. But he left this project uncompleted to turn to the vast design of the 'Divina Commedia' or The Divine Comedy. The Divine Comedy was the dramatization in poetry of that which St. Thomas, his master, had taught in the syllogistic theology of the schools, the greatest didactic poem since Lucretius and indeed of all history, not excluding Milton's great work. "As a poet, he belongs to the half-dozen immortals, for he moves away from the stereotypes of feeling and expression of the Middle Ages and discovers the intensely personal and individual qualities of man that transcend nationality, religion, class and caste."

Dante was a versatile genius. As a diplomat, soldier, politician, pamphleteer, philologist, theologian and philosopher, Dante achieved a grand success. He is one of those great thinkers of the Middle Ages who have contributed to the anti-papal doctrine from the standpoint of the imperial interest. He laid high stress on world order and on the Empire as an instrument of peace. "His political philosophy, a curious mixture of backward- and forward-looking ideas, of theological scholasticism and pungent anti-papalism, was nevertheless a typical product of his age."

The Italian peninsula in the days of Dante was torn into pieces by party strife. The strife raged between two parties : (1) *Ghibellines*, who were the supporters of imperial authority, and (2) *Guelfs*, who were the supporters of the Pope. In this situation Dante saw no hope for peace except in the unity of the empire and under the all-embracing authority of the emperor. It is with this object in view that he produced his famous work 'De Monarchia' in 1311 A. D. Sickened by the interminable wars and fratricidal conflicts, Dante turned for unity and peace to the superiority of the Italian people who were specially gifted and were designed by Almighty to rule over the world. To put an end to turbulence, confusion and anarchy resulting from the countless rivalries of princes and peoples, the Pope and the Emperor, Dante thinks for all to be joined together as semi-autonomous member of an all-inclusive super-state over which a universal emperor would preside.

2. '*De Monarchia*' of Dante : The 'De Monarchia' of Dante was a scholarly work which he wrote in Latin for the purpose of

making an argument for a universal empire.¹ In such an empire there would be no place for the papacy exercising secular power for the emperor would derive his power directly from God without papal intervention. In substance, the 'De Monarchia' was a plea for that secular world-empire which was a basis of reality in the days of the Hohenstaufen, but had since become the shadow of a name.² The book was, to be sure, a defence of imperial independence against papal control and hence, on the controversial issue, on the opposite side to that taken by Thomas and John of Salisbury.³ Its tone is remote, idealistic, and highly abstract.⁴ The book is not very original in its contents. In developing the theme of this book, Dante greatly benefited himself by "the Aristotelian metaphysics and politics, Roman and Jewish history and civil and Canon law, as well as the myths and the text of scripture which were still on every tongue."⁵ The work was deliberately designed to prove the supreme necessity of universal monarchy as the prime condition of peace and the welfare of mankind. It is divided into three books.

- (a) In the first book Dante discussed the question, "whether the temporal monarchy is necessary to the wellbeing of the world?"
- (b) The second book deals with the question, "whether the Roman people were justified in assuming the dignity of empire?"
- (c) The third book was more controversial: it tried to show that the imperial authority was derived immediately from God. In this book Dante refutes the papal arguments that it was derived from the people.

3. *Universal temporal monarchy*: Dante's answer to the first question took the form of a set plea for universal monarchy as a condition of human welfare. He regarded the fullest development of faculties as the chief end of the human race. The special character of man, according to Dante, was reason, the end or function of the race was to realize a rational life, which could be possible only if there was universal peace and unity. But if peace and unity are to be preserved for the benefit of all, it is necessary that one individual must rule. "There must be one to guide and govern, and the proper title for this office is Monarch or Emperor. And so it is plain that Monarchy or the Empire is necessary for the welfare of the

1. C. C. Maxey, *Political Philosophies*, p. 123.
2. W. A. Dunning, *Political Theories: Ancient and Medieval*, p. 230.
3. G. H. Sabine, *A History of Political Theory*, p. 225.
4. Ewart Lewis, *Medieval Political Ideas*, Vol. I, p. 486.
5. W. A. Dunning, *op. cit.*, p. 230.

world.”⁶ In this way Dante “proved that the whole race forms one community under a single ruler. The government of this ruler be compared to the government of God over nature. As the latter is perfect because of its unity, so the former to be perfect must embrace all men under a single authority. That which has the most reality has the greatest unity, and that which has the greatest unity is the best.”⁷ Dante admits that it is impossible to expect the establishment of peace among mankind without the highest judge who is altogether free from greed and partiality. He stresses the value of justice and freedom in the lives of man. Dante says that the greatest enemy of justice is greed and avarice and the inability to be disinterested and content. He holds that complete and full justice can be possible only in a world government which is headed by a monarch. For such a monarch nothing will be left to desire, “for the passions cannot exist when their objects have been abolished.”⁸ Dante considers liberty as “the greatest of God’s gifts to human nature, since through liberty we are made happy as men here and as gods elsewhere.”⁹ This liberty can be realized only in a world monarchy. Liberty is impossible unless there is in the world a power raised altogether above tyranny and oppression. It is to be noted that Dante was not advocating universal tyranny. His universal monarch was like Plato’s philosopher-king who was free from all sorts of ambitions and presided over the destiny of his state only for the sake of the state. World-peace was, in fact, the target at which all his shafts were sped, and it is because in his day he saw no other approach to the desired consummation, that he so ardently advocates world-empire and a world-emperor. To him the empire meant peace, that peace on earth which is the image of the heavenly peace that passes all understanding.¹⁰

What he actually meant by universal empire was not the subjection and slavery of other communities. What he intended was not that the different nations of this world would be obliterated by the one supreme authority. What he advocated was that particular characteristics of different communities must be regulated by different systems of law: and the universal monarch will simply

6. *De Monarchia*, Ch. VIII, quoted by Ewart Lewis, *op. cit.*, p. 490.

7. G. H. Sabine, *op. cit.*, p. 227.

8. *De Monarchia*, Ch. XI, quoted by Ewart Lewis, *op. cit.*, p. 491.

9. *Ibid.*, Ch. XII, quoted by Ewart Lewis, *op. cit.*, p. 492.

10. F. J. C. Hearnshaw, *Social and Political Ideas of Some Great Medieval Thinkers*, p. 109.

adjust and coordinate their relations so as to establish world peace. "With all his enthusiasm for a universal state under a monarchical ruler, Dante does not believe in uniformity for its own sake. He recognizes that although a world state would unify mankind with respect to law and government, many ethnic, cultural and linguistic groups and nations would continue to exist, each with its own traditions and needs dictated by history and external circumstances, such as climate. Trifling matters would therefore not be brought to the attention of the monarch of the world state but would be regulated by municipal and national laws and authorities. Only matters that affect all mankind require a common rule of law and a common authority, Dante is thus one of the first writers on the problem of world government to separate the issue of political sovereignty, which must be vested in the central organ of world government, from the issue of cultural autonomy which the individual nations and nationalities will fully preserve in a political world community."¹¹ Dante, thus, wants to see unity in the world of beings.

4. *Superiority and nobility of the Roman character* : Dante's answer to the second question was a big 'Yes'. His contention in this connection was that God's will always manifested in human history. The Roman Empire was the divinely appointed instrument for its purpose. The Roman people acquired their power and authority by the will of God, and since they were the noblest people, therefore, as such, they should be set above all others. He contends that the Romans constantly acted in all their deeds and all their conquests in a strong and unselfish public spirit. They always contemplated the goal of right and justice, and consciously directed all their efforts to the public good. Just as to the Jews it was assigned by the inscrutable decrees of the divine providence that in the fulness of time they should be the appointed vessel for the conveyance of the gospel, so to the Romans it was ordained that they should be revealers, under God, of law and order and justice to mankind. Dante based their claim for world empire on their noble ancestry, the pre-eminence of their laws, nobility of their character, their private virtues, public spirit and the selfless guardianship of the world. Exalting the Roman character Dante writes at one place :

"Putting aside all greed, which is always contrary to the public interest, and choosing universal peace with liberty, this holy people, pious and renowned, is seen to have

11. W. Ebenstein, *Introduction to Political Philosophy*, p. 84.

neglected its own advantage to care for the public safety of the human race."¹²

The Romans, he said, had ruled over a world empire and they ought to continue to do so. This tendency of his writings clearly shows that Dante was both a nationalist and an imperialist. But as Prof. Sabine says, he was no nationalist in politics. "At the very time when a nationalist note was making its appearance in France, in the controversy between the Pope and Philip the Fair, Dante looked back to an already absolute imperial policy which had ruined the Hohenstaufen."¹³ Dante, in fact, was free from political nationalism. His nationalism was quite different from the modern nationalism. "He did not advocate an Italian kingdom on the French or English models. His conception of world monarchy was entirely medieval, though—as an Italian, he thought of Rome as the natural capital of a world monarchy, and of Italy as the preferred 'province' which would include the Italian speaking communes and regions. In this way he hoped that universal monarchy would also bring peace to an Italy whose city-states were rent by civil and foreign wars."¹⁴ So far as his imperialism was concerned, "neither by birth nor breeding was Dante a partisan of the imperial cause. His imperialism was purely an idealization of universal peace."¹⁵

5. *Dante and the rule of law* : Dante's universal monarch was not a universal despot. His monarch belonged to a much higher order, whose authority was the very voice of reason. His empire was based on law and service. He did not exercise the authority for the sake of his own benefit but for the sake of the ruled. He regarded the king like Pope as 'Servus servorum'—the servant of servants. In his 'De Monarchia', Dante writes at one place, "Respect must be paid not to the person but to the office." It is, therefore, not the person of the monarch, but his office which was dear to Dante. "Indeed one may say that it is never the Emperor, the person, of whom he is thinking but something much more abstract, far more typical. It is law, personified ; Law throned and crowned, and invested with majesty and honour".¹⁶ The universal monarch, according to him, was the very embodiment of that reason which men were coming more and more to look upon as the true index to

12. *De Monarchia*, Book II, Chapter V.

13. G. H. Sabine, *op. cit.*, p. 226.

14. W. Ebenstein, *op. cit.*, p. 85.

15. G. H. Sabine, *op. cit.*, p. 226.

16. F. J. C. Hearnshaw, *ed., op. cit.*, p. 119.

the will of the unseen power. What Dante, in fact, was advocating, is the regime of supreme law, a law which is to be administered by one who is always unswayed by passions and personal ambitions. He "stresses the Aristotelian idea that the rule of law is to be preferred to the personal judgment of men, because such judgment is likely to be perverted by personal interests, whereas the monarchical head of a world state would be in the best position to dispense justice in accordance with general rules of law."¹⁷ "He is", in the words of Frederick Pollock, "to have the jurisdiction, in modern language, of an international tribunal."

6. *Imperial versus papal authority*: Coming back to the third question raised in 'De Monarchia' about the origin of imperial authority, Dante proceeds to reply that it was derived immediately from God. He condemned the papal argument which contended that it was derived immediately from the Pope. He admits that papal authority is also derived from God. The existence of both these authorities, the papal and the secular, is highly essential for the well-being of mankind. Writing about the necessity of these two authorities, in his 'De Monarchia', Dante says at one place:

"For man needs a double direction to his twofold end to wit, the Supreme Pontiff who leads the human race to eternal life by Revelations ; and the Emperor who directs the human race to temporal felicity by the counsels of the secular philosophers."

He conceives man as possessing dual nature. He is a body as well as a soul. Following Aristotelian principle that "every nature is ordained to gain same final end", Dante deduces two ends from man's double nature. These two ends of human life are, namely, the blessedness of earthly life, and the blessedness of heavenly paradise. Since these ends are different from each other, they also need the different means for their realization. For the realization of earthly blessings, the lessons of reason and philosophy are needed. For attaining the blessings of heavenly paradise, the spiritual lessons of theology, faith, hope and charity are needed. For guiding mankind along these lessons, two different authorities of the monarch and the Pope are needed. The Pope is to lead mankind to eternal life according to the things revealed in the scriptures. The Emperor is to guide mankind to happiness in this world, in accordance with the teachings of philosophy and reason.

Another argument put forward by Dante to support the superiority of the secular authority was that the Roman Empire possessed power and authority even much before the Church existed. It is, therefore, obvious that the Church cannot be the source of power and authority of the empire. And above all, the nature of the Church is the form of the Church, and the form of the Church is the life of Christ, who said, "My kingdom is not of this world." Dante, through this logic, wants to prove that the possession of the temporal power in principle was contrary to the nature of the Church. Again the two critical precedents from secular history, the Donation of Constantine, and the translation of the Empire to Charlemagne, were condemned as fantastic by Dante. As for Constantine and his Donation, Dante argues that no man by virtue of his office can do that which is counter to that office, otherwise the office would quickly be null and void. For the Emperor to rend the Empire is a contradiction in terms. He cannot do it. As to the translation of the Empire to Charlemagne, Dante says, that it proves nothing or proves too much. If one Pope conferred the dignity on Charlemagne, on the other hand the Emperor Otto deposed another Pope, Benedict, and appointed a Leo in his place. By condemning these two stories as highly fallacious and absurd, Dante tries to prove that the Church had no power over secular rulers. But he suggests at the same time that Caesar must observe reverence to Peter which a first-born son owes to his father, so that he may be illuminated by the world. But this should not be interpreted to mean that Dante assigns to the Pope a position of superiority. To the medieval controversy of his time, Dante does not provide any solution and he concludes his arguments by saying, "Render unto Caesar the things that are Caesar's and unto God the things that are God's." By separating the Church and the empire, and by setting them up as virtually 'closed systems', Dante did much more than diminish the temporal authority of the Church. For this reason he was considered for many years as enemy of the Church. "The Church was fully aware of the dangerous ideas contained in 'De Monarchia'. It was burned as heretical by order of Pope John XXII in 1329 and put on the Index of Forbidden Books in 1554, before it was printed in Basle in 1559. 'De Monarchia' stayed on the Index until half a century ago, when it was finally removed as being no longer dangerous."²⁸

18. W. Ebenstein, quoted from *Introduction to Political Philosophy*, p. 88.

7. *Dante's place in the history of medieval political thought :*

Dante was the first political philosopher of the Middle Ages who advocated the theories of international government. But his idea of universal monarchy is not in keeping with the modern theories of international politics. And as Prof. Maxey says, "Certain similarities do exist between the *De Monarchia* and some contemporary doctrines of internationalism, but the evidence of kingship is not too convincing."¹⁹ Lord Bryce regarded Dante's *De Monarchia* rather an epitaph than a prophecy. Its philosophy was set against the current streams of subsequent history. "Considered from the point of his own day and the day that followed, no conclusion was more thoroughly and utterly disproved by the facts of history than Dante's pronouncement for a world-empire and a world-emperor. Even when he wrote, there were rising, all unseen and unnoticed even by so acute a thinker and so keen-sighted an observer as Dante, great forces which were destined to undermine with increasing rapidity the foundations of the Empire in which he so devoutly believed and to sweep it finally into nothingness."²⁰

In his philosophy, Dante combines both the Augustinian and the Thomistic elements to evolve a new synthesis. It is, however, a synthesis that goes contrary to the political theories of St. Augustine and St. Thomas Aquinas and surpasses them in many respects. By separating secular from the ecclesiastical authority, Dante, thus, "declares the independence of philosophy from theology." Thomas Aquinas had treated philosophy as the handmaid of theology. But Dante's separation of philosophy and theology on a basis of equality and independence, paved the way for the growing subordination of theology to philosophy in Humanism and Renaissance.²¹ Dante conceived the whole of Europe as a single unified Christian community in which both the institutions of the Middle Ages, the state and the Church, were to play a significant role. By recognizing the importance of these two institutions, Dante changed the very conception of Christian life which was completely devoid of worldly happiness. Ignoring his spirit of narrow nationalism and studying his ideas from beneath, one may be led to conclude that Dante was really an internationalist in his politics, which may properly be organized on the more enduring foundations of international law, international agreement and international sympathy and goodwill.

19. C. C. Maxey, *op. cit.*, p. 123.

20. F. J. C. Hearnshaw, *op. cit.*, p. 135.

21. W. Ebenstein, *op. cit.*, p. 88.

CHAPTER 32
MARSILIO OF PADUA
(1270—1343 A.D.)

"The author of *Defensor Pacis*, the originator and the propounder of the idea of representative government, the man who accelerated the development of anti-papal thought in the Middle Ages, was Marsilio of padua. A political philosopher in the real sense of the term, Marsilio was so significantly famous for his revolt both against papal and state absolutism."

—*The Author*

1. *Introductory*: The exact date of birth of Marsilio of Padua is not known. But it is certain that he was born sometime between 1270 and 1280. His father was a notary who was attached to the University of Padua. He studied arts and medicine at the University of Padua. Later he moved on to Paris, where from 1312–1313 he worked as Rector of the University. The University of Paris at that time was the leading University of the world. It was particularly famous for the studies of philosophy, art and letters and the defeat of the Papacy at the hands of France had made it the

centre of secularist ideas. It was in this political and intellectual atmosphere that Marsilio received his formal education and training. Upon the excommunication of Lewis of Bavaria, Marsilio and his friend John of Jandun joined the court of Emperor Louis IV of Bavaria. He went to Rome for a pilgrimage where he found that the institution of Papacy had completely degenerated. He, naturally, developed contempt against the Papacy and turned out to be a great supporter of the secularists' cause. By April 1343 he was dead—'the worst heretic', said Clement VI, that he had ever read.

Marsilio is regarded as the greatest political thinker in Europe after the death of Aristotle. He is characterised as "the most original thinker of the 14th century, a man who pierced the fundamental secrets of statesmanship more deeply than any of his contemporaries and one who not merely divined the Europe of his own day, but also divined the Europe of ages unborn."¹ Although original in his approach, Marsilio was a devout follower of Aristotle. Like Aristotle he "tries to use common sense and empirical verification rather than abstract speculation and authoritative dogma."² His mold of thought was essentially sceptical, realistic and empirical in character which carried with it the ancient secular tradition of a free Italian city-republic of which he was an inhabitant.³ The most important work produced by Marsilio of Padua was the 'Defensor Pacis' (The Defender of the Peace). This work was completed by him on June 24, 1324.

2. *The Defensor Pacis of Marsilio* : The Defensor Pacis is considered to be a joint production of Marsilio of Padua and John of Jandun, a leading French scholar and one of the very close friends of Marsilio. But the work is generally held to be primarily the work of Marsilio. The work was written under the influence of that great English Schoolman, the Franciscan William of Occan, one of the colleagues of Marsilio of Padua in the University of Paris. As its title implies, the purpose of the work was to point the way to the restoration of universal peace. "In the title, The Defender of the Peace, is suggested the same basis which Dante had used in supporting

1. R. H. Murray, *The History of Political Science from Plato to the Present* (1926), p. 81.

2. W. Ebenstein, *Introduction to Political Philosophy*, p. 93.

3. *Ibid*, p. 92.

the Emperor the necessity of some authority capable of maintaining order. Marsilio duly laments the turbulence and disorders of the times, and duly defends the imperial power. On the other hand, he dwells at great length on the luxury and extravagance that prevail and the corrupting pursuit of wealth, maintaining as the corrective for this the righteousness of Franciscan poverty."⁴ Instead of describing an ideal humanity and talking about it in academic language, Marsilio suggests that the real defender of peace must be a man who has powerful armies at his command, i.e., emperor. He sincerely believes that the Papalists had mistaken views of the world, mistaken habits of life, mistaken ethics and mistaken theology.

The 'Defensor Pacis' is a reasoned and powerful attack not only on the supremacy of the Pope but also on the entire ecclesiastical jurisdiction which had been built up gradually upon the means of canon law. It deals with a wide range of subjects like ecclesiastical jurisdiction, indulgence, penances, excommunication, the Pope, Council, marriage and divorce. The work is characterised by two principles of secularism and the historical criticisms. It is "the first book which reverses the process and regards the Church as a department of the state in all matters of earthly concern. It is the first book in the whole long controversy which denies to the clergy coercive authority of any kind whatsoever, spiritual or the temporal, direct or indirect. It must, therefore, be regarded as one of the real landmarks not alone in the history of the struggle between the Church and the state, but in the development of political thought as a whole."⁵

The 'Defensor Pacis' is divided into three main parts. The first part of the book is devoted to the general principles of a state and its classification based on the fundamental principles of Aristotelian political philosophy. But it hardly contains "a complete and systematic discussion of all phases of political philosophy." The second part of the book is devoted to an exalted attack on the institution of Papacy which he regarded as the source of disturbing European peace. In this he "draws his conclusions regarding the Church, the functions of priests, their relation to civil authority, and the evils which arise from a misunderstanding of these matters." The third part of the book is concerned with the brief summary and which he made in the first two parts.

4. W. A. Dunning, *Political Theories : Ancient and Medieval*, p. 239.

5. C. H. McIlwain, *Growth of Political Thought in the West*, p. 313.

3. *Marsilio's theory of the State*: Marsilio's theory of the state resembles with the Greek and Latin points of view. In developing his conception of the origin, nature and functions of the state, Marsilio borrows very heavily from Aristotle. Like Aristotle, the 'Defensor Pacis' regards the state to be the greatest of all institutions, a self-sufficing community, being responsible on the one hand for man's welfare in this world, and on the other hand to safeguard it for the world to come. He regarded the state as living and developing organism which originated from a general recognition of common needs. Like Aristotle, he traces its evolution from the family. But the family was not able to satisfy all common needs as it simply existed for the good of its head. The very fact led to an association of families and this association was brought about by two recognitions. Firstly, there were certain needs which were common to all men, and secondly, the powers of man or of the family in isolation were insufficient to his need. Marsilio, thus, attributes the origin of the state to the growing necessity of co-operation in social life to achieve common ends. But all men do not desire the same thing. Men's desires not only differ, but in many ways conflict with each other. Man by nature is self-seeking, violent and aggressive. He is in the habit of regarding others as his rivals or enemies. This perverse nature of men tends to make co-operation inefficient or even impossible. The government therefore is concerned, first of all, "with the repression of the perverse will in man. Its primary business is to force men to act in their own interests." The final end of political society, according to Marsilio, is the establishment of peace and security within the community. This peace and security is the prime condition for all progress and prosperity. Marsilio, in this connection, at one place writes in his 'Defensor Pacis', "where peace is, intellectual capacities increase and moral activities improve as human kind multiplies, generation by generation." But perfect peace "involves a perfect adjustment of the means to the ends, a perfect co-operation in which there is neither waste nor friction. Government, therefore, is required not only for the repression of perversity but for the organization of co-operation".

After describing the origin of political society, Marsilio enumerates those functions of the government which are essential to the general well-being of society. Following Aristotle, Marsilio conceived of the state as a natural whole composed of different parts. These parts are the same six in number which had been enumerated by Aristotle in his 'Politics', the agriculturists, artisans, warriors,

fiscal officials, the priesthood and last and, most important, the judges and the legislators. It is the business of the government to allot to each man his proper work and keep him at it. The functions of all these are to be organized and co-ordinated in such a fashion that each may subserve the common ends without involving any wastage of time and labour. This conception of Marsilio, as it is quite obvious, is essentially socialistic in character. The end of the state is material prosperity and the needs subserved by government are those which simply arise from the conditions of man's life on earth.⁶

4. *His concept of Law* : Besides the functions of the state, Marsilio also discusses the organization of the state. For the organization of the state what is necessary is to have constitution. Fundamental in this consideration is the conception of law. Law is declared by Marsilio as essentially "a judgement as to what is just and advantageous to the community. It is an imperative expression of the common need, formulated by reason, promulgated by recognized authority, and sanctioned by force." The legislator of this law must either be the whole community or a numerical majority by which he means an effective majority. The community as a whole is powerless to initiate legislation. It may delegate its law-making power to others and in a large community it must do so. But the fact that the people are the legislator can in no way be altered. The law to be perfectly operative must be universally accepted. Law must be recognized as expressing a common need. The community, in fact, makes law by obeying law. Marsilio's law is thus the expression of the general will, and in this connection, his view resembles very closely with that of Rousseau.

In his 'Defensor Pacis', Marsilio discusses four kinds of law, but he lays stress particularly on two kinds, i.e., divine law and human law. These laws have been defined respectively by him as under :

"Divine law is a command of God directly, without human deliberation, about voluntary acts of human beings to be done or avoided in this world but for the sake of attaining the best end, or some condition desirable for man, in the world to come."

"Human law is a command of the whole body of citizens, or of its prevailing part, arising directly from the deliberation of those empowered to make law, about

voluntary acts of human beings to be done or avoided in this world, for the sake of attaining the best end, or some condition desirable for man, in this world. I mean a command the transgression of which is enforced in this world by a penalty or punishment imposed on the transgressor."

Distinction has been made by Marsilio in these definitions of the two kinds of law by the type of penalty which both the laws impose. The penalty which the Divine law imposes for its violation is not earthly. The punishment for its violation is to be given by God in future life. But any law that involves an earthly punishment for its violation should be treated as Human law. It is human because its authority proceeds from the human enactment. Marsilio has effected a contrast between the Divine and Human Laws, and he has clearly stated that the Human law does not derive its authority from the Divine law. This is, however, "a point of vital importance for the later argument because from its results the conclusion that the spiritual teaching of priests is not properly a power or authority, since it lacks coercive force in this life, unless, of course, a human legislator delegates such a power to priests."

5. *Marsilio on the machinery of Government and its functions :* According to Marsilio, the legislative and executive authorities are the most important organs of government. Like the Romans, he believed that the legislative power belonged to the whole community. The whole community, therefore, was the legislator. It is either this whole community or a part thereof, by which he, perhaps, means a representative assembly, was the source of all political authority. The executive organ of government was represented by the king. He regarded the king as a mere instrument of the community who was elected by it to perform a particular function. This function, as mentioned by the author of the 'Defensor Pacis', was to "regulate the political or civil acts of men." Marsilio is conscious of the fact that the power to regulate all the political or civil acts of men carries with it the danger of an abuse of this great authority which may render the government a despotic and tyrannical one. The safeguard that he suggests against this danger is that the legislator or the community has always right to correct and punish the king. Not only this, it can remove him from his office, either by its own direct act or through the agency of another whom the community appoints

for this purpose. But the award of punishment should be in proportion to the gravity of the offence, and should be given if possible according to a law already determined. But if the latter course is found to be impossible, the punishment may always be at the discretion of the community. "It is clear from all this that the king is the servant as well as the creature of the people. But he is a servant entrusted with enormous power, and while the great limitations affect the tenure of this power or a wrongful use of it, they put scarcely any limits to its legitimate extent."⁸

This particular provision of imposing limitations on the power of the king shows the author of the 'Defensor Pacis' as the most modern of all the theorists of the Middle Ages. "He seems to be almost the first writer who has clearly in mind, as a perfectly normal feature of monarchy, a preference for something like a modern 'limited monarch', with another governmental organ independent of the prince clothed with authority to judge him, though it must be noted that the organ in this case is an extraordinary one called into existence only in exceptional circumstances and "used even then merely to curb acts in excess of or abuse of authority, not to control legitimate acts within it."⁹

His separation of legislative and executive functions makes the monarch a mere administrator or the executive agent, and the community a supreme legislative authority. In devising such a plan, the chief object of Marsilio was to promote the welfare of the society. He considers education as the most important agency for promoting the welfare of the community. He strongly feels that democracy and representative government cannot be realized without it. That is why he pleads for an elaborate and effective system of education. Among all functions of government, education should be its main concern. The duty of government was also to regulate the economic life of the community and to see to it that great disparity does not exist in the wealth of its citizens. He rightly realises that disparity will breed jealousy. The jealousy will destroy communal harmony, and, in this way, the peaceful order of society might be disturbed. As one who regarded the papal supremacy as the chief cause of disturbing the European peace, Marsilio vehemently voted for the state. "Essentially his political philosophy was a recrudescence of

8. C. H. McIlwain, *Growth of Political Thought in the West*, p. 308.

9. *Ibid*, p. 308.

the theory of a city-state, competent to regulate every branch of its civilization."¹⁰

6. *His views on the Church* : Marsilio extended the principle of representative government and popular sovereignty to the organization of the Church. He defined the Church as "the body of the faithful believing in and calling upon the name of Christ." It is a Christian commonwealth and in every commonwealth the only source of authority must be the body of citizens. The final authority in the Church, therefore, did not rest with the Pope but with the General Council of the Church including both secular and ecclesiastical delegates. The Pope is to be elected by the General Council of the Church and is to be held responsible to it. And since the Pope derived his authority from the General Council of the Church, his authority was therefore, human and not divine. The Church as a corporate body was superior to the Pope which could depose him in case of misbehaviour. Marsilio thus "transfers to the Church an element of his political theory, assuming that the whole body of Christian believers, like the whole body of citizens in a state, is a corporation and that the General Council, like the political executive, is its delegate."¹¹ The General Council, acting by majority vote, has power to interpret the Scriptures, to pass the sentence of excommunication, to regulate the ceremonial Christian worship and to fill the offices of the government of the Church. The officials of the ecclesiastical hierarchy, beginning from the Pope down to the humblest officer, are subject to the control of the General Church Council.

The General Church Council, consisting of both the secular and ecclesiastical representatives chosen from the main territorial divisions of Christendom, shall direct and decide in the light of scriptures any doubtful matter concerning religious belief or practices. The decisions of this Council shall be binding on all, and more particularly on the priests. But the Council will be dependent upon secular government because for the enforcement of its decisions, it will have to depend upon coercion supplied by the states. Marsilio condemns the worldimindedness of the Pope, and suggests that Church as a spiritual body could not possess property. The Church should not be a rich institution and it must lead a life of primitive penury and poverty. The Pope should confine himself to the

10. G. H. Sabine, *op. cit.*, p. 263.

11. *Ibid*, p. 262.

performance of ecclesiastical functions. His duty was limited to the teaching of scriptures and the administration of sacraments. But he hastens to declare that the spiritual care was not the exclusive function of the Church. Questions of enforcement of punishment and admonition are to be left to the secular authorities. For an offence against the Law of God alone, no penalty may be inflicted by man in this world. If human law has added a temporal penalty for offences against God's law, as it may, then the judgment and its enforcement under this human law belong to the prince alone by authority of the people. Thus, the audacious claims of the Church were rejected by the philosopher's sound and convincing reasoning, and the Church was simply reduced to a department of the state.

7. *Secularism of Marsilio* : The secularists before Marsilio had lost the battle as they could not face the metaphysical, methodological and axiological premises of the doctrine of Papal plenitude. Marsilio took up a defeated cause and changed the course of history. Very powerful secular ideas were required to face the Papal ideology which Marsilio put forward with great scholarly vehemence and force. His real greatness lies in formulating those principles which constitute the foundation of medieval secularism. In his case the Church is definitely and clearly subordinated to the authority of the state. He goes so far as to say that only the civil government has the authority to regulate the number of Churches and temples, priests and ministers. He clearly states that no license for the public teaching or practice of any art or discipline can be granted by bishops collectively or individually ; it is only the civil government which has this authority. He also mentions that Christ himself had no ambition for secular rule. An ardent adherer of Emperor Louis IV of Bavaria, Marsilio treats the clergy like an ordinary citizen. As ordinary citizen he cannot claim exemption from secular laws. He says that any exemption in favour of the clergy would create schism. The task of civil government was the maintenance of peace. The chief disturber of the peace of Christendom was the bishop of Rome 'called Pope'. But this power rests on no divine sanction, it has been created by man, and by man it may be and should be destroyed, and until it is destroyed there can be no true peace.¹²

The priest who is the 'healer of souls' should diagnose the case as a physician diagnoses the ills of the body. But this is all.

If the physician pronounces a man a leper, it does not follow that he can expel him from the community. He cannot compel men to observe the rules of health, but merely urge and warn them, by pointing out the danger of disease and death which must follow a failure to observe these rules. And so likewise that priest, or 'physician of souls', may determine, and may exhort men, in those things which affect the 'eternal health of the soul', or everlasting death, or the punishment in this world that stand in the place of those in the world to come. But as no physician is competent to expel a leper and no one has authority to do so except the body of the citizens or their deputy, so no power of pronouncing a coercive judgment based on the law of God belongs to any priest or to any body of priests whatsoever. Even a judgment of heresy, and all penalties inflicted for it if any exist by human laws, belong solely to the prince by authority of the people, and not to any priest or bishop whatsoever. The clergy has no coercive authority of any kind, divine or human, temporal or spiritual.¹³

8. *Marsilio as a Modern Thinker* : Though a medieval thinker, Marsilio was essentially modern in many respects. His scepticism in matters of faith and religion led to the development of the idea of secular national state as the largest sovereign unit which displaced the conception of universal papal authority. His separation of the Church from the state paved the way for the development of modern secularism. His advocacy of representative government and belief in the sovereignty of people bring him in line with many recent thinkers. His plea for the removal of economic disparity, and the regulation of the moral, political, economic, cultural and educational life of the community by the state are in well-keeping with the recent theories of welfare state. The germs of the Conciliar and Reformation movements are traceable to the writings of Marsilio. His rational, this-worldly, secular and scientific approach opened the gates for modern practicality and concreteness.

13. *Defensor Pacis*, Book II, quoted from McIlwain, *op. cit.*, p. 310.

CHAPTER 33

THE CONCILIAR MOVEMENT

"The Conciliar Movement was reaction against the riches, desire for high office, simony and personal laxity which debauched the morals of the clergy. It represented a struggle between two opposite systems of government, constitutionalism versus autocracy."

—*Phyllis Doyle.*

1. *What is Conciliar Movement ?*: The controversy over the absolute power of the Papacy was already in the air. The audacious claims of the Pope for absolute power were being questioned. What was once limited to solitary thinkers like Marsilius became the subject of a vast and popular debate. It was not only the absolute power of the Pope in the Church over his ecclesiastical subjects, but the "whole process of government, including papal control over the giving of benefices, the drawing of ecclesiastical cases into the papal courts, the diversion of great sums of money into the papal revenue, and the systematic exercise of irritating forms of papal taxation, became a popular subject of criticism. Clericalism had become obnoxious. The human frailty of priests was being fully

exposed. The indolence, debauchery and degeneration of the Pope were being condemned at the hands of unsophisticated Christians. "The luxury of the papal court and the venality of papal government became the ground of bitter criticism." It was against all this that the Conciliar Movement was started.

The first half of the 15th century is a period of Conciliar Movement. The Conciliar Movement was the last phase of medieval political thought. It was mainly the creation of a group of scholars connected with the University of Paris, men who were thoroughly conversant with the scholarly and secular writings of their predecessors like John of Paris, Marsilius of Padua and William of Ockam. It was a sort of revolt against the papal absolutism in the Church. It is characterized by Prof. Phyllis Doyle as a "reaction against the riches, desire for high office, simony and personal laxity which debauched the morals of the clergy. It represented a struggle between two opposite systems of government, constitutionalism versus autocracy."

The immediate cause of the Conciliar Movement was the 'Babylonish Captivity'. From 1309 to 1376, that is to say, for a period of 67 years the Popes lived at Avignon in France under the influence of the French monarchs what has been called the 'Babylonish Captivity'. The so-called 'Babylonish Captivity' came to an end in 1376 when Pope Gregory XI returned from Avignon to Rome. It was in 1378 that the Italian Urban VI was elected as bishop. The French party in the college of Cardinals, which had become the dominant party during the long residence at Avignon, withdrew from Rome and elected a French Pope who took the name of Clement VII. "Devout men were now shocked by the unseemly conflict which followed between two men, each claiming to be the vicar of Christ and rightful head of the universal church, while the adhesion of the European states to one or the other of them was dictated by motives purely political and worldly, and wholly selfish, and the spiritual mission of the Church seemed to be utterly ignored."¹

Neither of these two Popes was prepared to renounce his rights. It was in the year 1409 that a Council was convoked at Pisa by the cardinals of the Church to decide the question at issue. The Council, however, made matters worse by deposing both the Popes and electing Alexander V as new Pope. There were now three

1. C.H. McIlwain, *Growth of Political Thought in the West*, p. 346.

Popes each claiming his exclusive and rightful jurisdiction over all Christendom for which he was answerable to God alone. This led to a Great Schism in the church which undermined considerably the power and prestige of the papacy. Under these circumstances the institution of the Church was in a state of internal decadence. It was all the more discredited by the writings of supporters of secular authority, men like Wycliff and John Huss. There was now a universal demand for the purification of the Church by means of the General Church Council. This led to a sort of revolt against the Church what has been known as the Conciliar Movement.

2. *The aims and objects of the Conciliar Movement* : The chief aims and objects of the Conciliar Movement were the purification of the Church, and to create and establish a new form of government in the Church in place of the absolute and autocratic government of the Pope. For the achievement of these aims and objects a number of meetings of the General Council of the Church were held. The meeting of the Council of Pisa, representing the universal Church, was held in 1409. The meetings of the Councils of Constance, Pavia and Basel were held respectively in 1415, 1423 and (1431-1443). Of all these Councils, the Council of Constance was the most significant. In the opinion of Dr. Figgis the decision taken by the Council of Constance was "the most revolutionary official document in the history of the world." It was decided by the Council of Constance that, "A General Council constituting and representing the Catholic Church has authority immediately from Christ which everyone in existence of whatsoever status or dignity, even of papal, is bound to obey in those things which pertain to the faith, the extirpation of the said schism, and the reform of the Church in head and in members."² In October 1417, the Council issued another decree. Its provisions included the summoning of Council at regular intervals of ten years 'for ever' and to guarantee the independence of those Councils against the papal control through prorogation or removal from one place to another. These two decrees of the Council of Constance were reaffirmed by the meeting of the Council of Basel and refusal to accept them was branded unChristian.³

3. *Leaders of the Conciliar Movements* : When the Conciliar Movement was going on, a good deal of literature bearing on the movement was published, chief among them are the writings of—

2. Quoted from C. H. McIlwain. *op. cit.*, p. 347.

3. *Ibid*, p. 348.

- (a) John Gurson
- (b) Nicholas of Cusa
- (c) Aeneas Sylvius.

(a) *John Gurson (1363-1429)*—John Gurson was one of the most important figures in the intellectual and religious life of the later Middle Ages. Born in the French village of Gerson of a peasant family, he was educated at the University of Paris where he studied theology under Pierre d'Ailly, with whom he was associated later in the Conciliar Movement. His leadership in the University of Paris led him into the wider arena of ecclesiastical politics when the University became the centre of a movement to heal the Great Schism through the calling of a General Council. His pamphlets and writings exercised tremendous influence in winning the general European support for the University's conciliar programme. In the Council of Constance he held a position of recognised leadership up to the election which finally healed the Schism.

In his thinking, John Gurson was greatly influenced by the writings of Marsilius of Padua. He rejected papal claims to supremacy. He did not believe with Marsilius that sovereignty in the Church belonged to the whole body of believers. He believed neither in absolutism nor extreme democracy within the Church. He regarded the Church as a hierarchy of the clergy and hence he gave all powers into the hands of a general Church Council. He regarded the Pope to be an administrative agent of the Church whose authority could be challenged and defied in the interest of the Church. In his 'History of Political Thought' commenting on this position, Prof. Gettell observes, "Gurson aimed to preserve the rights of Pope and King within definite limits, and at the same time secure the liberties of the people." His ideas, that sovereignty was popular and must be exercised by a representative government, influenced very greatly the deliberations of the Council of Constance.

(b) *Nicholas of Cusa (1400-1464)*—The another outstanding leader and a great academic personality of the Conciliar Movement was Nicholas of Cusa. His 'De Concordantia Catholica', which was presented to the Council of Basel, was easily the greatest of 15th century political writings, and one of the most interesting of the later middle ages.⁴ It marks the last phase of a development of thought whose first phase is best illustrated by St. Thomas. In the words of the late Dr. Figgis, "It is almost the last book which treats

4. *Ibid*, pp. 348-349.

Christendom as a single organic system, in which a complete theory of politics, whole and parts, is set forth."⁵ The work is mainly famous for two of his theories. The first is the theory of harmony or unity ; the second, the theory of popular consent as the basis of government. In his theory of harmony Nicholas explains the substantial unity of all phenomena—material and spiritual. The universe is conceived by him as an organism in which every element has its vital role to play. As in God's Universe, so in human affairs each element of the scheme of providence works in harmony for the perfect end of the whole. The Church and the Empire are the two great institutions in which the human affairs are organized, and each of these embodies a series of parts whose relations to the whole are one and the same.⁶ For maintaining perfect unity and harmony in the scheme of human affairs, it is essential that both the State and the Church should perform their respective functions. Nicholas of Cusa tries to find out some principle of harmony which may unite the secular with the spiritual authority. He reconciles both the divine and human origin of authority by saying that power comes from God ultimately, but it comes from the people immediately. This is how he introduced the element of consent in medieval politics.

He regards the consent of the Christian community as the source of all papal authority. The Church has been regarded by him as greater than any individual including the Pope. Christ was the real head of the Church who manifested himself through the Council. Consequently the Council was superior to the Pope. Pope was merely an agent of Christ, and he, as agent did not possess all the powers of his master. Pope as man was capable of sin and hence he was fallible. "The judgment of a single fallible man was likely to contain less of truth than that of a General Council which reflected the whole wisdom of the Church." The Pope was merely an executive head of the Church and was subject to the control of the General Council of the Church which could depose him for abusing his delegated authority. It was only the General Council, which was competent to speak on matters of faith. He advocated for decentralization and representative government both in the Church and the State. Sovereignty in the Church and the State belongs respectively to the whole body of believers and the community. Ruling authority, both ecclesiastical and secular, rested on the consent of the people. In

5. Dr. Figgis, *From Gurson to Grotius*, 1st edition, p. 59.

6. Quoted from W. A. Dunning, *Political Theories : Ancient and Medieval*, p. 277.

this connection, in his 'De Concordantia Catholica' at one place he writes, "Every government—whether it consists in written law or in a living law in the prince—through which the subjects are coerced from evil deeds and their liberty is regulated to good by fear of punishment is based on agreement alone and the consent of the subjects. For if by nature men are equally powerful and equally free, the valid and ordained authority of one man naturally equal in power with the others cannot be established except by the choice and consent of the others, even as law also is established by consent where it is said that "there is a general compact of human society to obey its kings." Now, since by a general compact human society has agreed to obey its kings, it follows that in a true order of government there should be an election to choose the ruler himself, through which election he is constituted ruler and judge of those who elect him; thus ordained and righteous lordships and presidencies are constituted through election." The general consent is the sole source of obligation is a principle of divine and natural right. The demonstration of this truth by Nicholas of Cusa has precisely the form that became common-place in the 18th century.⁷ That the conceptions of natural law and the rights of subjects expressed by Nicholas were the direct ancestors of the later revolutionary theories is not open to question.⁸

(c) *Aeneas Sylvius (1405-1464)*—Born in 1405 near Siena, the oldest of eighteen children in a humble family, Aeneas Sylvius was another writer during the conciliar period. Most of his works are thoroughly secular. He wrote poems, a novel, a play, a history of his own times, and so forth. His short treatise, *De Ortu et Auctoritate Imperii Romani* (The Rise and Power of the Roman Empire), dates from the period of his service to the emperor. The book is written in fine rhetorical humanist style. The doctrines that he expounded in this work resemble very closely with those of Cardinal Nicholas. Nicholas of Cusa, as it has already been mentioned, laid great stress on the consensual and contractual foundation of authority. But in addition to this, Aeneas Sylvius developed a conception of an historical condition, which later on assumed the name of the state of nature. In his account of the state of nature,

7. Nicholas of Cusa, *De Concordantia Catholica*, Book II, quoted from Ewart Lewis, *Medieval Political Ideas*, Vol. I, p. 192.

8. W. A. Dunning, *op. cit.*, p. 273.

9. G. H. Sabine, *A History of Political Theory*, p. 276.

Sylvius combines the Biblical account of paradise with the fancies of Plato and Polybius. It is narrated that after the expulsion of the first parents from Eden, men lived like beasts in the forests. With the growth of consciousness, they realized the advantages of living together in communities. For the promotion of their common welfare, they built cities and developed the acts of civilized life. When, however, injustice and oppression began to gain ground, the kingly government by force became absolutely necessary. This is how he explains the establishment of Roman Empire for the maintenance of universal peace. Since secular and ecclesiastical rulers were chosen by the people, they were, therefore, the creatures of the people and could be deposed by them. The social contract writers of the later centuries were influenced in very large measure by his views on the state of nature and the social pact.

4. *A summary of the views of the leaders of Conciliar Movement* : The main contention of the leaders of the Conciliar Movement was that the whole body of the Church, the congregation of the faithful, was the source of its own law, and that the Pope and the hierarchy were its organs or servants. The Church exists by virtue of divine and natural law. The rulers of the Church are subject to these laws and also to the law of the organization of the Church. The officials of the Church should be limited by this law and checked by other organs of the ecclesiastical body. The papal decrees will not have the force of law unless they are approved by a representative body of the Church. If the Pope does not do that and makes an improper use of his powers, he may justly be deposed. There was almost a common agreement among the leaders of the Conciliar Movement that the General Council of the Church was competent to depose the Pope. The Pope was the vicar of the Church rather than of Christ. The world could be saved without the Pope but not without the Church. "The model of government which guided the conciliarists was the medieval constitutional monarchy with its assembly of the estates, or perhaps more definitely, the organization of the monastic orders, in which lesser corporations were combined through their representatives in a synod representing the whole body."¹⁰

5. *Causes of the failure of the Conciliar Movement* : The Conciliar Movement failed because of a number of causes. It could

reform neither the Church nor change its form of government. The leaders of the Conciliar Movement were trying to lay down a constitution for a Church which will embrace the whole of Europe. It was impossible to prepare such a constitution in the absence of international amity and goodwill. The meetings of the councils and specially that of the Council of Constance was marked by national feelings. "A council which was itself a prey to every form of national jealousy was ill-qualified to attack the stupendous mass of vested interests that made up ecclesiastical patronage. Every one believed in reform but preferred to have it begin somewhere else."¹¹ Hence the movement failed.

The main task before the leaders of the Conciliar Movement was to define the position of the Pope in relation to the Church. England and France, which were the chief participants in the Movement, lost their interests in it as they were occupied by their own national problems. Besides England and France, most of the nations of Europe were busy in serving their own interests, and they did not attach any importance to a strong Church which was to come into existence after reforms. The immediate work which the Movement wanted to accomplish was the removal of schism in the Church. After its removal, its leaders could not put forth any inspiring ideal which is so essential for the success of a movement. The leaders of the movement did not seem to be very enthusiastic about it and their activities were simply confined to the passing of resolutions. The medieval mind was essentially ignorant. It was dominated by faith, orthodoxy, conservatism, fanaticism, and other worldliness. To such a mind Conciliar Movement did not make any appeal. Its importance was not understood by the general public and hence it remained confined to the universities.

Every movement to be successful needs strong and inspiring personalities, as the freedom movement in India possessed Gandhi and Jawahar, or the Reformation possessed Luther and Calvin. The Conciliar Movement did not possess any leader of such first-rate importance having originality of thinking and comprehensiveness of outlook. They repeated, actually, what Marsilius and William of Ockam had said, "The Movement again wanted to introduce constitutionalism in the Church and the Pope wanted to maintain absolutism. The Movement was followed by a strong papal reaction which resulted ultimately in the victory of absolutism both in the

11. *Ibid*, p. 280.

Church and the State. Federalism could not be triumphant, and as Prof. Bryce has observed, "medievalism ended with a cry of constitutionalism."

6. *Influence and significance of the Conciliar Movement* : According to Prof. Phyllis Doyle, "The conciliar experiment is its failure destroyed for some centuries the belief in the power of the people to control effectively their own political institutions. The failure of the movement left Europe disintegrated into a congerie of separate independent states with only nominal leader and ready to embark inevitably on the conflict of their several sovereignties characteristics of modern international politics." The importance of the Conciliar Movement in political thought lay in the fact that it was the first great debate of constitutionalism, against absolutism, and it prepared and spread ideas which were used in the later struggles.¹² From the conciliar theory of fifteenth century there is directly developing line of thought to the liberal and constitutional movements of the seventeenth and eighteenth centuries. Running through this development and connecting it with the Middle Ages was the conviction that lawful authority is a moral force while despotism is not, and that society itself embodies a force of moral criticism to which even legally constituted power is rightly subject.¹³

The philosophy of the period in its general aspects exhibited a progressive transformation of medieval concepts along the line which led to the modern era.¹⁴ It embodied in its philosophy ideas as to sovereignty, the popular basis of government, natural law and rights, and the social contract which, under the impulse of changed conditions in objective life, were to characterize the modern age.¹⁵ The conciliar period witnessed also some considerable development of the notion that political and social institutions originated historically in the deliberate and rationally planned action of men.¹⁶

According to McIlwain, the theories of the conciliarists may not be novel in the confession, but in their actual influence upon subsequent theories they are second to none in historical importance.¹⁷ The ideas which were formulated by John Gurson during the course of the Conciliar Movement constituted one of the chief precedents

12. *Ibid.*, p. 274.

13. *Ibid.*, p. 283.

14. W. A. Dunning, *op. cit.*, p. 281.

15. *Ibid.*, p. 283.

16. *Ibid.*, p. 282.

17. C. H. McIlwain. *op. cit.*, p. 349.

for all later assertions of the 'Gallican liberties' in France, and in fact for all later constitutionalism wherever it is to be found.¹⁸ "Arguing from the precedent of constitutional states, the conciliar theory decides upon the best form of government in general, and lays down the lines which controversy took until Whiggism succumbed to the influence of Rousseau."¹⁹ The belief of the conciliar writers, which was derived really from the facts of the political world of their day but based in argument on appeals partly to Aristotle and partly to the Mosaic system, was that this constitution was a mixed, or as later writers have called it, a limited monarchy, in which while the monarchical principle is preserved the danger of tyranny should be removed by the power of a small body of permanent advisers, a continual council, and ultimately checked by a large representative assembly.²⁰

Besides exercising a lot of influence on subsequently political thought, the Conciliar Movement did accomplish many things. It established the fact that the Church was superior to the Pope and the Pope was merely its constitutional head. According to this advocacy the Pope became more and more as an administrator and lost his powers more and more as legislator. After the failure of the Movement the institution of the Papacy was re-established and reorganised on national basis. This led to the growth of nationalistic feelings in Europe. The failure of the Movement proved to be a blessing in disguise because it could give to Europe such glittering personalities as Luther, Calvin and Rousseau.

18. *Ibid.*, p. 349.

19. Dr. Figgis, *From Gurson to Grotius*, 1st edition, p. 50.

20. *Ibid.*, p. 50.

CHAPTER 34 MEDIEVAL CONTRIBUTION TO POLITICAL THOUGHT

"Some fundamental principles and leading ideas, which were given definite form and expression by medieval thinkers, far outstretch in their effects and influence the conventional boundaries which usually limit the medieval period. They have provided the main source of inspiration for several great systems which belong, from a mere chronological standpoint, to more recent times, and which in turn appear as the thread by which medieval political speculation has come to be closely linked to the political consciousness of the modern world."

—*Alexander P.D. Entreves.*

1. *Introduction* : It has been very correctly pointed out, and pointed out many times, that the time of development of political thought does not proceed, as it were, by leaps and bounds from one great thinker to another, and that, if our aim is a fair and adequate reconstruction of that development, we have to take into account not only the complete and constructive systems but also, and even

especially, the slow, continuous, and often not fully conscious evolution of political ideas and opinions. Such ideas and opinions find expression not only in the work of systematic thinkers, but must be retraced to the tacit assumptions of rough intuitions in the general body of thought of a given epoch. It is undoubtedly in the rich humus of its literature, its law, its beliefs and fears, that the more developed systems take their roots.¹ There has been no influential political work that is not, in essence, the autobiography of its time, surely there is some excuse for turning to the great systematic thinkers in order to understand what precisely is the message of their age and its importance as a contribution to the body of political speculation.²

One of the most commonly received opinions about the Middle Ages is that they are essentially unpolitical and simply represent a great age of faith. This view has, however, been criticised by recent historians as unduly simplifying the rich and complex variety of medieval life and experience.³ 'There was abundant political thought in the Middle Ages, just because they were ages of formation and fermentation, in which the Christian leaven—the great new thing in the world—was steadily permeating society, and the fresh Germanic influx into the ancient world was finding its place and its level. On the one hand the Church was seeking to formulate its relations with the temporal power, and on the other, to inform with its own principles of peace and justice and godliness the feudal life of the country, the commercial life of the town, and the student life of the University. Look at feudalism, and it was giving to society the new cohesive force of the hand of personal loyalty, and the new conception that the landowner is in honour bound to render service, in war and in peace, to the community in which he holds his land. Look at the new structure of the three estates, and you will find it developing into that great gift of the Middle Ages to the modern world—the gift of representative institutions. Look at the communes and guilds of the medieval cities, and you will see the basis of a new economics and a new type of self government. If you look at these things, and if you see these visions, you will realise that the Middle Ages lived, and lived abundantly. And anything which has lived, and lived abundantly, in the past, is still a part of the present—a root of its

1. A. P. D. Entreves, *The Medieval Contribution to Political Thought*, Oxford University Press, 1939, pp. 6-7.

2. *Ibid.*, p. 7.

3. *Ibid.*, p. 7.

life; an inspiration of its thought. The Middle Ages, therefore, are not dead. They live among us, and are contemporary with us, in many institutions of our life and many modes of our thought.⁴ Therefore, the charge that the Middle Ages were theological, dogmatic, allegorical, and uncritical, and the modern political thought is objective, rational, scientific, secular and national, is incorrect and baseless. It is incorrect because the medieval political thought was just a continuation of the Hellenic and Roman ideas to which was added the Germanic and Christian individualistic tradition. The medieval thought was rich in many respects. It has been regarded sometimes as an 'embryo of modern period' and has made a significant contribution to the world's stock of western political ideas.

2. *Universalism of Medievalism* : The keynote of all medieval thought is its universalism.⁵ It assumes the existence of a single universal society, which, on its lay side, is the inheritance and continuation of the ancient Roman Empire ; and, on its ecclesiastical side, the incarnation of Christ in a visible Church.⁶ It postulated 'an external, visible community comprehending all mankind. In the Universal Whole, Mankind is one partial whole with a final cause of its own, which is distinct from the final causes of individuals and from those of other communities.'⁷ Therefore in all centuries of the Middle Age Christendom, which in destiny is identical with Mankind, is set before us as a single, universal community, founded and governed by God Himself. Mankind is one 'mystical body' ; it is one single and internally connected. 'People' or 'folk' ; it is an all embracing corporation, which constitutes the Universal Realm, spiritual and temporal, which may be called the Universal Church, or with equal propriety the Commonwealth of the Human Race. Therefore that it may attain its one purpose, it needs one Law and one Government.⁸ Along with this idea of a single community comprehensive of Mankind, the severance of this Community

4. F. J. C. Hearnshaw, *The Social and Political Ideas of Some Great Medieval Thinkers*, ed., London, 1923, pp. 10-11.

5. *Ibid.*, p. 12.

6. *Ibid.*

7. Otto Gierke, *Political Theories of Middle Ages*, trans., F.W. Maitland, V Edition, London, 1938, p. 10.

8. Otto Gierke, *op. cit.*, p. 10.

between two organized Orders of Life, the spiritual and the temporal, is accepted by the Middle Age as an eternal counsel of God. In century after century an unchangeable degree of Divine Law seems to have commanded that, corresponding to the doubleness of man's nature and destiny, there must be two separate orders, one of which should fulfil man's temporal and worldly destiny, while the other should make preparation here on earth for the eternal hereafter. And each of these orders necessarily appears as an externally separated Realm, dominated by its own particular Law, specially represented by a single Folk or People and governed by a single Government.⁹

The conflict between this duplicity and the requisite unity becomes the starting point for speculative discussions of the relation between Church and State. The Medieval spirit steadily refuses to accept the dualism as final. In some higher Unity reconciliation must be found. This was indubitable ; but over the nature of the reconciling process the great parties of the Middle Ages fell a-fighting. The ecclesiastical party found a solution of the problem in the Sovereignty of the Spiritual Power and the supporters of the king in the Sovereignty of the temporal power.

3. *The Idea of Monarchy* : According to Dr. Barker "the medieval theory of the state—or rather of kingship, for the Middle Ages are a time of kings rather than of States. The Middle Ages regarded the Universe as a Single Realm and God as its Monarch. God, therefore, was the true Monarch, the one Head and motive principle of that ecclesiastical and political society which comprised all mankind." All earthly Lordship is a limited representation of the divine Lordship of the World. Human Lordship proceeds from, is controlled by, and issues in, divine Lordship. Therefore as permanent Institutions, the ecclesiastical and temporal 'Powers that be' are ordained of God.¹² Monarchy thus acquires a divine right ; and since it is divine, it is limited. It must be exercised for the realisation of those spiritual aims of which the Church is a guardian : otherwise the Church will declare it forfeited, and proceed by excommunication to banish the king from Christian Society, and

9. *Ibid.*, pp. 10-11.

10. *Ibid.*, p. 11.

11. *Ibid.*, p. 30.

12. *Ibid.*, p. 30.

therefore from the exercise of his rights.¹³ Divine right is in medieval theory compatible and co-existent with popular institution. Although all true power proceeds from Almighty God, and is an emanation of His sovereignty, but the people have a voice in the institution of the person who weilds royal power. And the people who have a voice in the institution of a king, by implications, they have also power to depose him. The papular basis and the papular right of criticism of monarchy are cardinal tenets of medieval political theory.¹⁴ Rules are instituted for the sake of peoples, not peoples for the sake of rules. Therefore the power of a ruler is, not absolute, but limited by appointed bounds. His task is to further the common weal, peace and justice, the utmost freedom for all. In every breach of these duties and every transgression of the bounds that they set, legitimate Lordship degenerates into tyranny. The tyrants may be deposed and may also be killed.¹⁵

It is almost with one voice that the medieval publicists declared monarchy as the best form of government. They thought that they found, not only in the universe at large, but through animals and inanimate nature, a monarchical order, and hence they had drawn the conculsion that this form of order was the best also for Church and State.¹⁶

4. *Problem of Political Obligation* : The problem of political obligation was felt by the medieval mind primarily to involve a religious issue, and urgently to require an answer which should be in accordance with the principles of the Christian faith. The medieval thinkers in developing their points of view have based their arguments on the text of the Scriptures. One, and perhaps the most discussed of these texts, seemed indeed to provide a direct answer to the problem of political obligation.

"Let every soul be subject into the higher powers. For there is no power but of God, the powers that be are ordained of God. Whosoever, therefore, resisteth the power, resisteth the ordinance of God : and they that resist shall receive to themselves damnation. For rulers are not a terror to good works, but to the evil. Will thou then not be afraid of the

13. F. J. C. Hearnshaw, *op. cit.*, p. 21.

14. *Ibid.*, p. 21.

15. Otto Gierke, *op. cit.*, p. 34.

16. *Ibid.*, p. 31.

power? Do that which is good, and thou shalt have praise for the same: for he is the minister of God to thee for good. But if they do that which is evil, be afraid, for he beareth not the sword in vain: for he is the minister of God, a revenger to execute wrath upon him that doeth evil. Wherefore ye must needs be subject, not only for wrath, but also for conscience sake."¹⁷

The teaching which the dictum of St. Paul contains marks the radical opposition between the classical and the Christian approach to politics. It implies that political values can no more be conceived or represented as purely human concern. They involve the deepest religious implications. Obedience has ceased to be a merely political problem; authority has assumed a sacred character. Yet from these basic assumptions very different inferences could be and were, in fact, drawn. The Christian notion of obedience has in time been developed into a doctrine of passive obedience as well as into a theory of the religious duty of resistance; the idea of the sacred character of authority has provided the background both of the divine right of kings and of limited and responsible government. Medieval political thought is deeply involved in these issues. It is thoroughly imbued with the idea that authority and obedience are at bottom not merely a political, but also a religious concern.¹⁸

The idea that authority, whatever its origin, its forms, or its aspects, has in itself some element that never is and never can be merely human; that therefore the exercise of power is a source less of rights than of duties, and obedience is due less to man than to principles; that it is the subservience to the divine order of justice which alone can legitimate political rule and give it a 'divine' character; such principles, which medieval thinkers contrived to develop from the original sources of Christian experience, have become outstanding landmarks of Christian political thought, and must remain such unless christianity abdicates all hope of constructive political action and takes refuge in a passive acceptance of the powers that be.¹⁹

17. Dictum of St. Paul.

18. A. P. D. Entreves, *op. cit.*, p. 9.

19. *Ibid.*, p. 10.

5. *Conception of the State* : The medieval thinkers did not make any contribution towards the development of any new or original conception of the state. What they have actually done is a borrowing from the Aristotelian and Stoic ideas about the state; and gave them a Christian colouring. The state is a social institution arising from the social nature of man, and it is at the same time a divine dispensation for human sins. It is almost truism to say that medieval political theorists, in their philosophical constructions of the state, combined a variety of different material, and it is perhaps appropriate to say that their originality lies not so much in the construction of new ideas as in the recreation of old ones into a definite system which only on careful examination discloses itself as a patient and elaborate patchwork. These doctrines and principles, as Dr. Carlyle has said, fall into two main categories and derive from the two main currents of thoughts which in turn influenced the development of medieval political theory : the inheritance of stoic and early christian ideas on one side, the revival of Aristotelian philosophy on the other.²⁰ The true character of the state as a secular institution, embracing all schemes of life was, however, restored by Marsilio of Padua. It is in his theory that we may trace the return of the state. He based his argument upon Aristotle, the philosopher of the secular. The concept of the state as primarily a religious institution in its motive and interests, received a deadly blow at the hands of Marsilio. He gave to political theory the concept of a lay state—a supreme organizer and regulator of the entire life of the Community. The state as a divine institution, the state as an organism, the state as a welfare agency, the state as a system of organised force to deal with human corruption, the state as a conventional but necessary institution, all these ideas combined together were transmitted to the modern times. All the modern states whether theocratic, secular or welfare, in some way or the other, are indebted to medievalism in their fundamentals.

6. *Federalism of Medievalism* : Although Middle Ages had postulated the visible unity of mankind in Church and Empire, but it regarded this unity as prevailing only upto those limits within which Unity was demanded by the oneness of the aim or object of mankind. But this unity was neither absolute nor exclusive, but appeared as the vaulted dome of an organically articulated structure

of human Society. The unity of the faith was represented by the Church and the Unity of secular life was the concern of the State. It is common to see five organic groups placed above the individual and the family—namely village, city, province, nation or kingdom, empire : but sometimes several of these grades were regarded as one. In the medieval state groups came into existence of themselves, without any creation, or 'fiction' of the state, and that they acted by themselves, with little if any control from the State. Guilds and corporation grew into life ; and once they lived, they acted—they legislated and they did justice—as if it were a matter of inherent right. But as time went on this feudalistic construction of medieval society was more and more exposed to attacks which proceeded from a tendency towards centralization. We may see it happening first in the ecclesiastical and then in the temporal sphere. The idea of the state as an absolute and exclusive concentration of all group life gradually took shape inside the medieval doctrine, and then, at first unconsciously but afterwards consciously, began to burst in pieces the edifice of medieval thought.

7. *Doctrine of Popular Sovereignty* : The idea of representative government and popular sovereignty developed in the Middle Ages as a reaction against absolutism. Marsilio of Padua is the main exponent of this idea. He questioned the absolutism of Pope within the organization of the Church and contended that sovereignty within the Church did not belong to the Pope, but it belonged to the whole body of believers i.e. (the Christian Community). A General Church Council was to represent the whole body of believers within the Church, and would be regarded as supreme in all legislative matters. The Pope would merely function as a constitutional head of the Church and could be deposed by the General Church Council if he abused his authority. Similarly Marsilio had advocated that sovereignty within the State did not belong to the king, but to the Community. The Community could be represented by a General Assembly. The General Assembly was to work as a Supreme legislative authority. The king would only act as an executive organ of the state who would be elected by the Community, and who could be deposed by the General Assembly if he made a misuse of his powers. He, thus, put forward the idea of an elective limited monarchy as he did in the case of Pope. There was unanimity in the doctrine that the consent of the whole community was requisite for the validation of any acts of the

ruler whether temporal or ecclesiastical. It is a distinctive trait of medieval doctrine that within every human group it decisively recognizes an aboriginal and active right of the group taken as whole. As to the quality and extent of this right, there was, however, strife among parties. With the growth of the idea of representation and popular sovereignty, the idea of personality also developed simultaneously. The notion of the merely representative function of all the visible wielders of public power naturally led onwards to the notion of a represented and invisible 'subject' of rights and duties. The doctrine of Corporations, was ready to supply the idea of juristic person, and a due consideration of the nature of Church and state might have induced a transmutative process which would have turned the *Persona Ficta* of professional jurisprudence into the concept of a really existing Group-Personality. The Church was already conceived, and so was the state as an organic whole which, despite its composite character, was a Single Being, and the thought might have occurred that an individual might have a personality of his own with an organism.²¹

8. *Medieval Conception of Law* : The medieval doctors and thinkers do not deserve any credit to have developed any science of jurisprudence. There was nothing new in their conception of law. Their idea of law was a conglomeration of the Stoic and Roman conceptions of law. To the Greeks, the law was merely an ordinance of reason. To the Roman legal mind, the law was merely an expression of the will of Prince. The former was essentially philosophical and the latter was merely legal. But the medieval mind, and particularly that of Aquinas, realised the deficiency of both the concepts, and combined them together to give it a new form and content. We find him declaring law 'as an ordinance of reason, based on the common good, promulgated by one who has the care of a community.' In its comprehensive definition of law, both the stoic and the Roman mind have found their meeting place ; and since the basis of law was the 'Common good', it brought into play the effective role of the old Roman *jus naturale* (or the law of nature). 'The Church identified the divine law as revealed to Moses and declared by Christ, with the pure and undefiled principle

21. *Ibid.*, pp. 67-68.

of natural law. But here a difficulty arose. It was impossible to apply this law, at once divine and natural, to the control of human law and relations. In the purity of natural law there can be no government, for all men are free and equal ; for the same reason there can be no slavery; nor again, can there be any private property, for men who are free and equal, hold all things in common. But in the actual world, government and slavery and private property existed. The Church was accordingly forced to make an accommodation and to draw a distinction. In order to adjust its demands to what was possible, it established a difference between the *absolute* and the *relative* law of nature. The absolute was the law as it stood before the Fall : the relative law was the law as it stood after the Fall.²²

The law of nature was, thus both—it was revealed and as well as natural. ‘So far as it was revealed, it was the stern daughter of the Voice of God ; so far as it was ‘natural, it was the inevitable outcome of the reason in man, whereby he discovers the mind of God. From either point of view, it was universal and eternal.’²³ According to Gratian, “All customs, and all written laws”, if they were adverse to natural law, were to be treated as null and void. ‘This law was thus the sovereign principle of human society.’ It was, in fact, this idea of natural law which helped to justify the restoration of the Roman system, on account of its very reasonableness and universal value, as the law of an international civilization. And it is through the vehicle of natural law that the old idea of the independence of law as against the state was transmitted to later ages. It is on this basis that the recognition of a legal order superior to the state has found momentous development even in more recent days, as the modern theory of international law sufficiently proves.

Thus the Middle Ages were extremely rich in respect of the growth of political theory. In general the closing century of the Middle Ages embodied in its philosophy such important ideas as sovereignty, the popular basis of government, natural law and rights, and the social contract which, later on were marked to characterize the modern age. ‘The structure of modern ethical and political

22. F. J. C. Hearnshaw, *op. cit.*, Article Contributed by Sir Ernest Barkar, p. 18.

23. *Ibid.*, p. 19.

thought, from the 17th to the 19th century was built, in the main, of stones, hewn in the medieval quarries.' But those who devoted themselves to systematic thought remained still too much under the influence of the old ideals of Papacy and Empire to free themselves in either the method or content of their philosophy from the standards of the preceding ages. The signal, in fact, for a radical change was sounded by the genius of Machiavelli the brilliant Florentine and a child of Renaissance.

CHAPTER 35
THE DEATH OF AN OLD AND
THE BIRTH OF A NEW ERA
Niccolo Machiavelli
(1469-1527)

"Niccolo Machiavelli is perhaps the most universally reprobated figure in the history of political literature; the man whose Precepts are universally disavowed in principle, but regularly followed in practice".

—*Chester C. Maxey.*

THE BIRTH OF THE MODERN WORLD

The Conciliar Movement marked the end of an old and the beginning of a new era in political theory. It signified the passing away of the Middle Ages, and the birth of the modern world with its reassertion of the humanistic and scientific outlook. This humanistic and scientific outlook was fostered by the revival of ancient learning, known as the Renaissance. The Renaissance is one of the two great movements which transformed medieval into modern Europe. Like travellers, who return from journeys with their prejudices confirmed and strengthened, the men of Renaissance in their travelling to remote centuries of classical Greece and Rome,

found what they cherished—an exciting and romantic world, the image of which had guided them on their voyage. Like a child, the man of Renaissance was overawed by the ancient models to which he was learning to give attention. He had not discovered that the way to imitate the Greeks was not to imitate those who themselves imitated nobody.¹ And since he did not utter or produce anything new and took delight in appreciating the old Greek and Roman ideals, the age of Renaissance is characterized as an unoriginal age. As Prof. A. North Whitehead says, “In the year 1500 Europe knew less than Archimedes, who died in 212 B. C.”²

Roughly speaking, the closing decades of the fifteenth and the first two or three of the sixteenth century constitute the period of Renaissance. It was during this period that the European mind once and for all shook itself free from the shackles of Medievalism and sought inspiration in the great models of Greek and Roman antiquity.³ The Renaissance, however, was not merely a revival of ancient learning; it was something more than a mere recovery of what the ancients had known and the medievalists forgotten. It again revived interest in the study of man, and brought back to life the motto of ancient Greeks that man was the measure of all things. Man, in fact, became a more important subject of study than God Himself. The interest in the ‘next world’ or eternity, as predominant factor in one’s scheme for living, declined. The Renaissance was, typically, non-salvationist. It freed the human mind from the excesses of theology and the rigidity of scholasticism. It expressed its contempt against the medieval institutions and ways of living. It rejected the ecclesiastical authority of the priest, and brought about the intellectual emancipation of men. The old supernatural idea of fairies, angels and devils, was replaced by a new one which was essentially human and natural. The authority of God was replaced by the authority of Science and Reason of man. Since man was to replace God, all emphasis was laid on his perfection. This gave rise to humanism. In a word, the Renaissance was “the march of a new spirit which finally shattered the medieval order, laid the foundations of a new world of the seventeenth century—the world, which, in essentials, put an end to the Middle Ages once and for all.”⁴

1. George Catlin, *A History of Political Philosophers*, p. 187.

2. Quoted by George Catlin, p. 187.

3. C. C. Maxey, *Political Philosophies*, p. 125.

4. J. P. Mayer, *Political Thought, the European Tradition*, p. 107.

The interpretation of this new attitude of life by the thinkers of France, England, Germany, and the Netherlands created the intellectual climate of the modern world.⁵ Freed from medieval theology, superstitions and ignorance, men's minds ventured forth upon many expeditions, experimentation and inquiry and dared to grapple with many uncertainties.⁶ This period saw the discovery of America, the first circumnavigation of the globe, the opening of unknown continents, the rise of unforeseen possibilities of commerce, and the first stages of the inevitable shift of the theatre of world events from the Mediterranean to the Atlantic.⁷ The same period witnessed the discoveries of Copernicus which had very serious sociological influence. It shook the foundations of medieval theological system which was based on the principle of geometric universe. It compelled the thoughtful to contemplate the earth and all human affairs in a new light and in an infinitely reduced perspective. It undermined the medieval conception of the structure of the universe, and the world shrank to a point in the limitless space.

The invention of mariner's compass, especially, when supplemented by quadrant and chronometer, made possible for the first time the systematic voyages. Man was still living in isolated mansions. Various civilizations were rising and falling without influencing the neighbouring civilizations. It was at this time that new contacts were established and all civilizations came under one roof. Europe shrank in proportion as the world grew. "A new universe opened at the end of the fifteenth century before the staggered gaze of men already eager to explore, already intoxicated with the intellectual stimulants they had received from their study of antiquity."⁸ The romantic outlook created by the study of antiquity was intensified by these voyages.

In 1464 Scheveinheim set up the first printing establishment in Italy. The mechanism of printing press was an extraordinary vehicle for the transmission of thought. The ideas had very low speed previously when the books mostly written by hands used to be very small in number. Printing press quickened the speed of intellectual life. What was once limited to the few became very popular. Before the invention of the printing press, the clergy had the monopoly

5. John Bowle, *Western Political Thought*, 1st edition (1947), p. 247.

6. C. C. Maxey, *Political Philosophies*, p. 126.

7. *Ibid.*, p. 325.

8. Phyllis Doyle, *History of Political Thought*, p. 127.

of all learning. But, now, this monopoly began to disappear. Knowledge, thus, became popular and led to a greater exchange of ideas between persons who could not have met and known each other's views before.

Another very significant feature of the period was the invention of gun powder. The invention of the gun powder gave a great impetus to the rise of national monarchies. The gun powder helped the rulers to monopolise the strength as they did not permit others to store gun powder within their dominions. It, very much, enhanced the prestige of monarchies.

In almost every part of Western Europe, there was a tremendous growth of monarchical power. "In all the kingdoms royal power grew at the expense of the competing institutions, whether nobility, parliaments, free cities, or clergy, and almost everywhere the eclipse of the medieval representative system was permanent."⁹ A radical change was taking place both in the institutions and ideas about the system of Government. And as Prof. Sabine says, "The change, both in government and in ideas about government, was enormous. Political power, which had been largely dispersed among feudatories and corporations, was rapidly gathered into the hands of the king, who, for the time being was the main beneficiary of increasing national unity.....Absolute monarchy overturned feudal constitutionalism and the free city-states, on which medieval civilization had largely depended. Ecclesiastical rulers were everywhere subjected more and more to royal control, and in the end Church's legal authority disappeared. The sacerdotium vanished as a power, and the Church became either a voluntary association or a partner of national government."¹⁰

Radical changes such as these were taking place on the whole of European continent. These changes brought about considerable change in political theory as well. This change is very clearly reflected in the writings of Machiavelli, "No man of his age saw so clearly the direction that political evolution was taking throughout Europe. No man knew better than he the archaism of the institutions that were being displaced or accepted more readily, the part that naked force was playing in the process. Yet no one in that age appreciated more highly the inchoate sense of national unity on which this force

9. G. H. Sabine, *A History of Political Theory*, p. 285.

10. *Ibid.*, pp. 285-287.

was obscurely based. No one was more clearly aware of the moral and political corruption that went with the decay of long-accustomed loyalties and pieties, yet no one, perhaps, felt a keener nostalgia for a healthier social life, such as was typified in his mind by ancient Rome. Certainly no one knew Italy as Machiavelli did".¹¹

MACHIAVELLI (1469-1527 A.D.)

(a) *The Life and Time of Machiavelli* : Machiavelli, the son of a lawyer, was a nobleman by birth and a republican by conviction. He was born in Florence in 1469, and entered the service of the Republican Government in 1494, the year of the expulsion of the Medici. From 1498 to 1512 he was Secretary to the Chancellory, an important post which was concerned with diplomatic, military and administrative affairs. In 1500 he went on a mission to Caesar Borgia, whose methods he studied and admired. From 1503 to 1506, in addition to his further diplomatic activity, he was engaged in substituting a reliable Florentine citizen militia for the mercenaries generally employed, and in 1506 was appointed to put his scheme into operation. In the same year he was sent as an Ambassador to Rome. In 1507 Machiavelli was the Envoy to the German Emperor, Maximilian at Bolson. He thus had the opportunity of studying the French, Roman and German Courts at first hand, and obtained an insight into the working of foreign governments.

In 1512 took place the Medici coup d'état and the restoration of that ruling house. With the return of the Medici, backed by Spanish arms, Machiavelli fell into disgrace. In 1513, he found himself in prison on suspicion of conspiracy. He was finally released on the condition that he retired to his farm in the country and took no further part in public affairs. Here he lived until his death in 1527. It was here that he set himself to write books which have made him immortal. Among his works, the most famous are 'The Prince', 'The Discourses', 'The Art of War', 'History of Florence' and 'Mandragola'.

'The Prince' was completed in 1513, and was dedicated to a member of the ruling Medici family, Lorenzo the Younger. Prudence, however, delayed its general publication until 1532, after the author's death. As Prof. Hearnshaw says, "Those who read it should realize that they were not meant to do so". 'The Prince' was followed, in 1516-1519, by 'The Discourses', in which he idealized Swiss and German institutions. Here he passionately admired the Romans,

11. *Ibid.*, p. 288.

and regarded a republican form of government as the best. 'The Art of War' was written in 1520, and 'History of Florence' in 1520-1527. In the year 1527 he produced his famous and cynical comedy called 'Mandragola'. He further wrote numerous and very able dispatches, reports on his diplomatic missions and on the political situation in France and Germany, and a number of familiar letters which have survived even now.

Before discussing Machiavelli, it is advisable to keep his environment in view. It will help us to appreciate his political ideas in better perspective. "It is a well known fact that external conditions, either consciously or unconsciously, directly or indirectly, are constantly affecting the working of human mind. Environment is an arresting factor. No man can escape it. It is bound to manifest itself both in thinking and writings of personalities. In no system of political philosophy is the influence of environment more manifest than in that of Machiavelli. The brilliant Florentine was in the fullest sense the child of his time".¹²

Machiavelli lived at a time when the movement for limited government both in Church and State, which had made such a tremendous progress in the Conciliar period, had completely disappeared. A monarchic reaction had set in, and which had destroyed almost all aristocratic regimes on the continent of Europe. The tendency of the time was towards the expression of nationalism in political organization. Great States of Europe were establishing and organizing strong monarchies on their territories. Henry VII in England, Louis XI, Charles VIII and Louis XII in France, and Ferdinand in Spain had established strong monarchies, and destroyed completely the political power of the feudal assemblies in their respective territories. At this time, when every State of Europe was heading towards expansion and consolidation, Italy stood still, and did not make any progress. The entire Peninsula was divided into five States: the Kingdom of Naples, the grand Duchy of the Roman Church, the Duchy of Milan, and the Republic of Venice and Florence. It was a house divided against itself, and in the words of Machiavelli himself, "it was just a geographical expression". Machiavelli was sick of this position of his country. Unification of the Peninsula was very dear to him, and it was, perhaps, his only concern. France and Spain were taken by him as his ideals for unification and consolidation.

It is with this end in view that he makes a fervent appeal to the House of Medici. Addressing the House of Medici, Machiavelli wrote at one place, "Let your illustrious House take upon itself this charge with all the courage and all the hopes with which a just cause is undertaken, so that under your standard this our country may be ennobled". Machiavelli makes appeal—both to the monarch and the masses. Addressing the people, and writing about the geographical advantageous position of his country on the map of Europe, Machiavelli says at one place, "The sea has been divided; the cloud has attended you on your way; the rock has flowed with water; the manna has rained from heaven. Everything is there to promote your greatness. What remains to be done must be done by you. God will not do everything Himself". Machiavelli was so keen and impatient to secure the unification of his country that he was ready to "prescribe even poison to heal up the wounds of Italy". It was in relation to this end in view that Machiavelli developed his political philosophy through a method which was entirely different from medieval thinkers.

(b) *The Method of Machiavelli* : Since Machiavelli was required to deal with different problems, it was, therefore, natural for his method to be different. The biblical and theological approach, which was pressed into the service of politics by medieval doctors, was considered as out of date, and was completely abandoned by Machiavelli. "The dogma of the two powers, the relations of Pope and Emperor, the conflict of spiritual and secular jurisdiction, the doctrine of *imperium continuum*, the Donation of Constantine and all the rest of the long familiar captions receive scarcely an allusion from Machiavelli".¹³ To quote the same writer again. "To the opinions of the Church fathers and the medieval doctors he makes no reference, and he never cites a text of the canon or of the Civil Law".¹⁴

According to Machiavelli, the true method for the study of political science was historical. Hence, Machiavelli comes to make an appeal to history. Like Vico, Machiavelli does not commit himself to some mystic doctrine of recurrence or cycles in history. All that he wants to say is that human desires and passions remaining the same, where the incidents of life are comparable, humanity will end to find the same remedies and repeat the same conduct. There will be recurrent behaviour patterns upon which a social science

13. W. A. Dunning, *op. cit.*, p. 291.

14. *Ibid.*, p. 291.

can be founded, alike by economist and politician. Machiavelli believed that men in all ages and places had been the same, had been influenced by the same motives, and had been called upon to solve the same problems by the adoption of the same means. He, therefore, regarded that a study of the past was very useful and helpful to throw the fullest light on the needs of the present and would even make prediction of the future an easy matter.¹⁵ With this conviction, Machiavelli started to make a study of the past. In the history of the past, he found parallels that appealed strongly to him by their relation to existing conditions, and he seized upon them as revelations of essential truth.¹⁶ But what was the past which Machiavelli made a subject of his study? It was almost exclusively the past of classical antiquity. He took delight in the study of the history of the Greeks and Romans. Machiavelli, in the words of Dr. Matthew Arnold of Rugby, "The history of Greece and Rome is not an idle inquiry about remote ages and forgotten institutions, but a living picture of things present, fitted not so much for the curiosity of the scholar, as for the instruction of the statesman and the citizen".¹⁷

Since Machiavelli stood for the consolidation and expansion of Italy, the history of the Greeks did not make much appeal to him. He, generally, held a very low estimate of the Greek States. "To him Athens and Sparta seemed to lack the chief elements of political wisdom. Rome received admiration at his hands because it achieved an empire and furnished him with political realities. His knowledge of history and biography is undoubtable. The pages of his book are packed full of authentic historical facts which sustain his thesis, and he is never content until he has piled up a mountain of evidence which tends to carry conviction even against the will of the reader".¹⁸

Although history has been so frequently quoted by Machiavelli, but for all intents and purposes, history was not his subject of interest. It was simply an instrument in his hands and he employed it to support his viewpoint. His conclusions are independently arrived at, but he marshalls an array of historical facts at his command to support those conclusions. History provides him convenient parallels for elucidation. Machiavelli's interests were, in fact, determined by the conditions of his own day.

15. *Discourses on Livy*, I, p. 39.

16. W. A. Dunning, *op. cit.*, p. 293.

17. Dr. M. Arnold as quoted by Prof. George Catlin, *op. cit.*, p. 202

18. C. C. Maxey, *op. cit.*, p. 134.

This method of study cannot be described as historical in its real sense. According to Prof. G. H. Sabine, "The method pursued by Machiavelli for the study of the problems of his own time was not historical in character because his examples were often drawn from the past. He used history exactly as he used his own observation to illustrate or support a conclusion that he had reached quite without reference to history".¹⁹ In the same spirit Prof. Dunning observes, "In fact Machiavelli's method was historical rather in appearance than in reality. The actual source of his speculation was the interest he felt in the men and conditions of his own time. In the history of the ancients he found parallels that appealed strongly to him by their relation to existing conditions and he seized upon them as revelations of essential truth".²⁰ His conclusions, as already pointed out, were not based on any historical researches. They were rather "reached empirically and were then re-enforced by appeals to history".²¹ In conclusion it can, however, be said that Machiavelli's approach to political problems was not entirely historical. It was, in fact, an approach which was based on empiricism coupled with a historical spirit. He, thus, followed a method of study which was altogether different from that which was theological and authoritarian, and which had characterized the entire medieval approach to political thought. This abandonment of the medieval method makes him a child of the Renaissance and a harbinger of the modern world.

(c) *Machiavelli's Treatment of Human Nature*: Human nature is the study of psychology, and politics is a study of the State. The State is unthinkable without individuals. No study of political theory can be complete unless it is related to the nature of individuals. Such a relationship between politics and human nature is well affected in the case of Machiavelli. In his case, it is this conception of the study of human nature that becomes a determining factor of his theory of government. But what was Machiavelli's conception of human nature? Like Hobbes of Malmesbury, Machiavelli takes a very pessimistic view of human nature. Unlike Aristotle, he believes that men by nature are purely selfish and they, in their lives, are always motivated by selfish desires. His remarks about human nature in 'The Prince' are very damaging, and they go

19. G. H. Sabine, *op. cit.*, p. 293.

20. W. A. Dunning, *op. cit.*, p. 293.

21. *Ibid.*, p. 293.

entirely against that side of human nature which is sometimes described as social and divine. At one place in 'The Prince' he says, "Men are ungrateful, fickle, deceitful, cowardly and avaricious". In the light of this he suggests that a monarch should aim rather to be feared than to be loved. Love, says Machiavelli, implies a bond of obligation which men, being essentially selfish, break on every occasion where their own interest demands it ; while fear, for the same reason, holds them indefinitely.²² Again, men are simple minded, and judge things altogether by appearances ; a crafty ruler, therefore, should take an advantage of this fact and act accordingly. But men, according to him, are not only weak and ignorant, they are essentially vicious and are made good only by necessity. He, therefore, suggests that a wise ruler should never trust his counsellors, but he must depend upon his own judgment.

Again, to Machiavelli, men are prey to endless desires. One of these most important desires is the love for private property. In 'The Prince', Machiavelli rightly declares that "men more readily forget the death of a father than the loss of a patrimony". For this reason he advises his ruler to make a few executions, but confiscations none at all. It is here, we find, that Machiavelli makes materialistic individualism as the explanation of the love of independence and self-government.²³ In the 'Discourses' also, Machiavelli makes the same pessimistic observations about human nature. They have been explained in somewhat fuller psychological setting. In the 'Discourses', again, the materialistic gain is maintained as the fundamental consideration before human persons. It is in the light of this motive that people's desire for republic and their disliking for monarchy are explained. Republican Government is desired, because it gives a chance of material gain to a majority of the people ; under monarchy the prince absorbs all the profit himself. And independence is desired because wealth multiplies most in States that are not subject to others.²⁴ According to Prof. Dunning, the chief conscious basis of political life among men, to Machiavelli, was the consideration of material prosperity. It is a conception that was altogether different from the ancient and medieval conception of the State that it was an institution devoted to the moral and

22. *The Prince*, C. 17.

23. *Ibid.*

24. *The Discourses*, II, 2.

intellectual uplift of a community, or that it was necessary to prepare men's way to eternal salvation.²⁵

(d) *His separation and subordination of Morality and Religion*: Machiavelli's attitude towards this question is directly governed by his conception of human nature. In his eyes, human nature, throughout the ages, does not significantly change and, what men have done, they are on equal provocation liable to do again. No talk of religion or morality alters this fact, since both alike rest on the same human nature. Since human nature is essentially bad to Machiavelli, he seeks to isolate systematically the phenomena of politics without reference to the facts of a moral existence.²⁶ But Machiavelli is not satisfied with this alone. In his case the canons of morality and religion were completely separated from, and subordinated to, politics. In the words of Prof. Dunning, "In no philosopher of either ancient or medieval times were the dictates of religion and morality so frankly relegated to a subordinate and even insignificant position in relation to the theory and practice of politics".²⁷ It is this moral and religious indifference that contributes most to keep him apart from medieval thinkers. The closest analogue to Machiavelli's separation of political expedience from morality is probably to be found in some parts of Aristotle's 'Politics', where Aristotle considers the preservation of States, without reference to their goodness or badness.²⁸ But unlike Machiavelli, State in the case of Aristotle continues to exist for the sake of good life, and goodness in relation to politics, in his case, is not abandoned but is rather retained as a close ally. In Machiavelli, a systematic attempt has been made to dissociate politics from all standards of conduct save success in the establishment and extension of governmental power. For this he is so much abused for his sympathy with evil. It is by this that he is best known in the world.

In 'The Prince' and 'The Discourses', Machiavelli discusses the employment of all sorts of violence, cruelty and bad faith. At one place, for example, he says that while it is most praiseworthy for a prince to be good, nevertheless one who wishes to maintain his authority must be ready to lay aside his goodness at any moment, and in general to employ it or not according to circumstances. At

25. W. A. Dunning, *op. cit.*, p. 306.

26. *Ibid.*, p. 298.

27. *Ibid.*, p. 297.

28. G. H. Sabine, *op. cit.*, p. 292.

another place, in his works, he refers to the common impression—"the keeping of faith is praiseworthy, but for the sake of maintaining political power, deceit and hypocrisy are indispensable."²⁹ The prince must appear all sincerity, all uprightness, all humanity, all religion ; but he must have his mind so disciplined that, when it is necessary to save the State, he can act regardless of these. Let the prince then look to the maintenance of the State ; the means will always be deemed honourable and will receive general approbation". When Machiavelli treats of republics, his conclusions are the same. Writing at one place in 'The Discourses' he says, "I believe that when there is fear for the life of the State, both monarchs and republics, to preserve it, will break faith and display ingratitude".³⁰

This moral indifference on the part of Machiavelli is sometimes cited as an example of scientific detachment.³¹ But, according to Prof. G. H. Sabine, this account of the matter seems to be far-fetched. "Machiavelli was not detached ; he was merely interested in a single end, political power, and indifferent to all others".³² It is, however, quite definite that he was not preaching immorality for its own sake. His basic attitude is not nihilism and he does not say that there are no moral values in this world, nor does he anticipate a world where there would be no such values. It is, therefore, not indifferentism to morality. According to Prof. Dunning, "Moral judgments in Machiavelli's philosophy are wholly subordinate to the exigencies of political existence and welfare. He is not immoral, but unmoral, in his politics".³³

Religion, at his hands, receives the same cold-blooded treatment. Writing about the religious principles in 'The Discourses', at one place, he says, "These principles seem to me to have made men feeble and caused them to become an easy prey to evil-minded men, who can control them more securely, seeming that the great body of men, for the sake of gaining Paradise, are more disposed to endure injuries than to avenge them".³⁴ But in spite of this bitter and critical attitude towards religion, Machiavelli expresses a little respect for it. He regards religious sentiments as a very important

29. *The Prince*, C. 18.

30. *The Discourses*, Book I, C. 59.

31. Sir F. Pullock, *History of the Science of Politics* (1911), p. 43.

32. G. H. Sabine, *op. cit.*, p. 293.

33. W. A. Dunning, *op. cit.*, p. 299.

34. *The Discourses*, II, 2.

instrument of State policy. The idea is not that religious sentiment contains any profound truth in it, but because the decline of respect for religion is the surest sign of approaching ruin for the State, and a wise statesman, by making an appeal to this sentiment, can achieve reforms which otherwise would have been impossible to do.

His treatment of this problem may, however, be summed up in the 'dictates of unscrupulous patriotism'. What he, actually, has in his mind all the time is the necessity of the existence of the State; "Where the safety of one's country is at stake there must be no consideration of what is just or unjust, merciful or cruel, glorious or shameful; on the contrary, everything must be disregarded save that course which will save her life and maintain her independence". From this, it is quite obvious that Machiavelli "does seem to believe that anything may be done if the welfare of the community is in question, that cruelties in a prince may be justified if the ultimate aim is the restoration of order and safety of society, and that it is justifiable to deceive the enemy with whom you are at war".³⁵ These methods make Machiavelli essentially a student of practical politics. What he is actually concerned with is the working of a real, and not of an ideal political life. Unlike Plato, imaginary and impossible States, for him, have no interest whatever. He feels that there is a lot of difference between the way in which men live and that in which they ought to live. His main purpose is "to get back to the actual truth of things".

His thesis, in fact, is that in the world a man must behave as other people, of different walks of life, behave; and that if he allows his conduct to be guided by the thought of what men ought to do, this will conduce rather to his ruin than to his advantage or preservation. A man can scarcely be accused of any great immorality if he accepts the standards of his time and consents to live as the world lives. This thesis was based on the simple fact that the wicked had prospered and the loyal had been defeated. Machiavelli does not, however, develop this thesis in isolation. Behind it lies the dogma of the classical writers of the universal wickedness of human nature. "Live as the world lives" is his doctrine. Its only purport was the reduction of the conduct of good men to the standards of that of the worst, and it was difficult to see how an invitation to immorality could have been expressed in other terms or

35. H. Butterfield, *The State Craft of Machiavelli* (London), 1940.

placed on a more comprehensive basis.³⁶ Really speaking the tendency of Machiavelli's system was to make men more consistent and scientific in their political cunning. The very intention of his remarks on morality was to clear the path for the more general acceptance of the kind of State craft that he had to teach.³⁷

(e) *His Theory of the Extension of Dominion* : Machiavelli is not merely satisfied by developing a body of doctrines in relation to morality and religion, but he also puts forward practical suggestions for the statesman in relation to his dominion. The theory and practice of extending monarchic doctrine is chiefly to be found in 'The Prince', while the expansion of republics is the theme of 'The Discourses'. In 'The Prince', Machiavelli discusses the question of the acquisition and extension of princely power. According to him, dominions are acquired by the individuals' own resources and ability. In this connection he cites the example of such personalities as Cyrus, Romulus and Theseus. They are also acquired through good fortune and the aid of others. Machiavelli has quoted in this connection the typical example of Caesar Borgia. He suggests that a prince who wants to carry out his ambitions of acquisition should do so through peoples of his own race. It will not be difficult for a prince to hold acquisition in such a country where the same language is spoken. What the prince will have to do there is to extinguish the line of the former prince and let the old institutions remain. Difficulty of acquisition, however, arises in a country where the language and institutions are of a different type. The most serious difficulty for a prince arises in connection with a State that has been under republican form of government prior to the conquest. Here the name of liberty and the memory of the ancient Constitution serves as an inspiration to revolt. Here Machiavelli suggests that the only safe policy is utterly to destroy the whole community. It may be said here that these methods are utterly barbarous and incompatible not merely with Christian Society but with any form of civilized life. Every man ought to abhor such practices and choose rather to be a private citizen than reign as a king at the cost of such a devastation.

To Machiavelli, the surest test of the ability of a statesman at such places is to introduce and maintain a new social and political constitution. The reformer has to face a very hard time by the open

36. *Ibid.*, p. 112.

37. *Ibid.*, p. 113.

hostility of those who derive profit from the old order, and by the indifference of those who have only hope, but no certainty to benefit from the new. The task for a prince who allows the State to go on under its old institutions is very easy. But, one who wants to reform the old constitution undertakes the most doubtful and dangerous of enterprises. Persuasion is recommended by Machiavelli for the enforcement and maintenance of a new constitution. But where persuasion fails, force should be applied. Here, Machiavelli suggests the maintenance of a strong well-organised army to defend the new constitution.

According to him, the tendency of extension is found both in republics and monarchies. The prince is compelled to follow such a policy by the insatiable craving for power, which is natural to man, and a republic, if not impelled by choice, is sure to be driven to it by necessity. In explaining his theory of the extension of dominion, Machiavelli recommends the techniques and methods employed by the Roman Republic. The elements of the Roman system, as for example, are : Increase the population of the city, acquire allies rather than subjects, establish colonies in the conquered territory, turn all booty in the treasury, carry on war rather by field campaigns and pitched battles than by sieges, keep the State rich and the individual poor, and with utmost care maintain a well-trained army. It is Machiavelli's conviction based on his observation of Italian politics, that a well-trained citizen soldiery is indispensable in a republic, not only for the purpose of aggrandizement, but even for maintaining existence. In Machiavelli's time the bulk of the fighting forces consisted of the mercenary hands. In its place he suggests the substitution of a popular militia. Writing about the mercenary hands, and urging the advantages of a 'regular' army, drawn from the citizenship of the State, Machiavelli writes in 'The Prince' :

"The arms by which a prince defends his possessions are either his own, or else mercenaries or auxiliaries, or mixed. The mercenaries and auxiliaries are useless and dangerous, and if any one supports his State by the arms of mercenaries, he will never stand firm or sure, as they are disunited, ambitious, without discipline, faithless, bold among friends, cowardly among enemies. They have no fear of God, and keep no faith with men. Ruin is only deferred as long as assault is postponed ; in peace you are despoiled by them, and in war by the enemy. The cause of this is that they have no love or other motive to keep them in the field beyond a

trifling wage, which is not enough to make them ready to die for you. They are quite willing to be your soldiers so long as you do not make war, but when war comes, they either fly or decamp altogether. I ought to have little trouble in proving this, since the ruin of Italy is now caused by nothing else but through her having relied for many years on mercenary arms".³⁸

In his 'Discourses', he devotes a long chapter to expose the hollowness of the common saying that money is the sinews of war. According to Machiavelli it is not money, but good soldiers who are in reality the essence of strength. As he says, "Money will not always procure good soldiers, but good soldiers will always procure money". Realising that the use of force without craft is meaningless, Machiavelli very strongly pleads for the use of the latter. He holds it unquestionable truth that men never rise from insignificance to greatness without the use of force and craft; but while force without craft is never sufficient, craft without force will meet with success.

(f) *Machiavelli on the Preservation of Dominion* : Even on this question, Machiavelli's views are very significant. The first great rule that he suggested for the preservation of a princely government is, respect for the established institutions and customs of the land. Machiavelli suggests this course both to hereditary and usurping monarchs. Besides having a very strong army, the prince must be parsimonious with his own money and that of his subjects, but lavish in distributing the spoils of war. Severity rather than mildness must characterize his attitude in public affairs, but above all he must keep his hands off the property and the women of his subjects. He should endeavour to be loved and not to be hated by the people. Those duties of administration which involve odious responsibilities should be performed by subordinates, while acts of grace should be attended to by the prince in person. He must try to avail of every opportunity to develop a reputation for exalted purposes and character. He must keep the people busy with great enterprises. He must surround all his actions with an air of grandeur, must take open and decisive part in the controversies of neighbouring States, must pose as the patron of distinguished ability in the fine arts. Finally, he must liberally encourage the useful arts of commerce and agriculture, and refrain from interfering with them by burdensome taxation. These practical suggestions of Machiavelli are

thoroughly grounded in psychology. His position in this connection may be described as a happy blend of the dictates of enlightened despotism with a thorough study of human nature.

(g) *Forms of government* : Machiavelli follows the same old Aristotelian classification of government, namely monarchy, aristocracy and constitutional democracy, with their three corresponding corruptions—tyranny, oligarchy and democracy. Like Cicero and Polybius, he also reaches the conclusion that mixed form is the best and most stable. But this point has not been discussed by Machiavelli at length. He has concentrated his attention on the characteristics and relative advantages of monarchies and republics. As between monarchy and republic, Machiavelli is very far from being the thorough-going advocate of despotism. His appreciation of republican government is no less pronounced than that of Aristotle himself. In Machiavelli's opinion republics keep faith better than princes. The republic has an advantage over the monarchy, in that the character of the prince will not change with conditions, while among the many characters which participate in the service of a republic, one may always be found that is just suited to the particular needs of a given time. The mass of the people, according to him, are the best support for an elective monarchy, to be the most effective instrument for the maintenance of independence, and to be far less productive of internal disturbance than the aristocracy. The leading motive of the upper class he conceives to be in all cases the passion for the exercise of authority, while the masses desire only peace and order. "Thus what Plato and Aristotle regarded as unworthy of consideration, by either statesman or philosopher, becomes with Machiavelli the central point of interest".³⁹

(h) *Machiavelli's place in the History of Political Thought* : Niccolo Machiavelli was an excellent epitome of his time. He is as popular today as he was in his own day. In his cool, calculating cynicism, his frank and undisguised natural way, his extreme individualism, his pragmatism, his devotion to classical antiquity, in his rejection of religion and of supernatural sanctions in favour of a 'here and now' philosophy and a hedonistic morality—in all these things he is characteristic of the Renaissance and, to a very considerable extent, of the modern mind.⁴⁰ Modern political thought, in reality, begins with Machiavelli. The reason is that Machiavelli, more than any other individual, and despite the fact that he is

39. W. A. Dunning, *op. cit.*, p. 309.

40. W. T. Jones, *Masters of Political Thought*, Vol. II, p. 50.

hardly a political theorist, is the father of modern political theory. He makes the first decisive break with the thought of the Catholic Middle Ages on political problems. For Machiavelli the State is a natural entity. It rises out of, and exists in, the midst of a play of natural forces, which the ruler must understand and make use of, if he and his State are to survive in the ruthless competition which is living. Here Machiavelli lays the foundation for Marx and those later theorists who reduce politics to the study of power-conflicts and their control.⁴¹

He analysed the conditions of Italy and of Florence as a historian would wish to see it analysed, he urged the adoption of the very policies which seem right in the long run and in the eyes of history. The great policies and systems which he wished to promote were taken from ancient history or ancient writers; though in each case he retraversed the field, worked over the internal detail, and examined the various aspects of the proposals. The role and importance which he ascribed to the new prince, the insistence on a national militia and on the military aspect of government, the whole science which he developed for the preservation and increase of the reputation of the prince, really represented in him a great practical wisdom.⁴²

He was one of those rare beings who can view human behaviour as objectively as the zoologist looks upon the behaviour of lower animals. He must be given credit for being a sincere and ardent patriot, and one of the forbears of modern nationalism. His passion for the practical as against the theoretical undoubtedly did much to rescue political thought from the scholastic obscurantism of the Middle Ages, and entitles him to recognition as the first, if not the noblest, of the great pragmatists.

Machiavelli introduced certain new possibilities in political philosophy. Previous to him political power was considered for attaining certain higher ends such as justice, law, good life and freedom, etc. Machiavelli burnt all these ethical, religious and cultural ends of the State. He considered political power as an end in itself and confined his enquiries to the means that suited to acquire, to retain and to expand power. He separated power from morality, ethics, religion and metaphysics. He distinguishes sharply between politics and religious principles. More precisely he treats religious

41. *Ibid.*, p. 50.

42. George Catlin, *op. cit.*, p. 193.

institutions as the instruments of the politician for giving sentimental support to the stability and bravery of the State. He is a secularist but, unlike the foolish, pedantic secularists, he does not boggle to recognise the influence of religion.

He was the first exponent, as he is one of the clearest, of power politics. A little over one hundred years ago Lord Grey said that the politics of the great States could not be governed by rules of morality. Whatever may be the case about the conduct of individual men in their relations to other men, it is certainly true that States do behave towards each other very much in the ways in which Machiavelli describes. And refusal by optimistic and idealistic statesmen to recognise the facts has caused untold suffering to themselves and those they have ruled. Neville Chamberlain, for instance, would have learned a great deal about Hitler by studying Machiavelli; and if President Wilson had pondered over 'The Prince', the disaster of Versailles might never have occurred.⁴³

Machiavelli looks forward clearly to the concept of sovereignty and to the corresponding notion of the national territorial State. He completely rejects the feudal conception of a complex hierarchy of relatively autonomous entities, and for it substitutes an all powerful central authority, who is supreme over all institutions within the region over which he has any jurisdiction at all.⁴⁴ He may, thus, rightly be regarded as the precursor of the doctrine of absolute sovereignty.

Economic determinism was one of the most prominent features of Machiavelli's political thought. Aristotle had separated ethics and politics and had written large the idea of economic interest as a crucial factor in political processes; but he did not surpass Machiavelli in devotion to the belief that men are deeply actuated by material motives. In all political behaviour, according to the Florentine, whether it be idealistic or the opposite, the influence of the economic factor usually may be perceived. Back of all struggles for liberty, self-government and the rights of men, there always lurks, in his opinion, some sort of economic interest in the outcome.⁴⁵

There is, however, no dearth of writers who have passed deprecating remarks and judgments against Machiavelli. According to Dr. Murray, Machiavelli was clear-sighted not far-sighted. Mr. C. J. Fox wrote at one place: "What is morally wrong can never be politically right", it is a statement that eternally condemns

43. W. T. Jones, *op. cit.*, pp. 51-52.

44. W. T. Jones, *op. cit.*, p. 51.

45. C. C. Maxey, *op. cit.*, p. 187.

the political ideas of Machiavelli. Prof. Jaszi describes him as the propounder of an immoral and untrue doctrine. "By the passionate and enthusiastic glorification of political crime he must bear the responsibility of having made from the diffused crimes of isolated princely criminals, a compact of philosophical doctrine which corrupted public opinion in many parts of the world and which envenomed still more an unscrupulous political practice".⁴⁶ The greatest weakness of his political philosophy is his acceptance of absolute realism. He forgets the force of ideas and ideals which if properly mobilised can move earth and heaven. His philosophy was practised by certain princes and even by the dictators of the present century, but they could not achieve success. The character and the true meaning of his philosophy have, in fact, been one of the enigmas of modern history. To conclude in the words of Prof. G. H. Sabine, "He was an utter cynic, an impassioned patriot, an ardent nationalist, a political Jesuit, a convinced democrat, and an unscrupulous seeker after the favour of despots".

46. K. F. Geiser and O. Jaszi, *Political Philosophy*, p. 119.

CHAPTER 36 POLITICAL THOUGHT OF THE REFORMATION

“The Protestant Reformation mixed political theory with differences of religious belief and with questions of theological dogma more closely than had been the case even in the Middle Ages... Consequently the Reformation produced no such thing as a Protestant political theory, any more than the Middle Ages produced a Catholic one, nor for that matter, did it produce even an Anglican or a Presbyterian or a Lutheran theory that had any close dependence upon the theologies of these protestant churches”.

—*G. H. Sabine*

INTRODUCTORY

The scientific and humanistic outlook fostered by the Renaissance was foreshadowed in a limited way by the common sense of Machiavelli with his respect for facts and secularized view of politics. The obscure beginning of the scientific outlook in Renaissance took, indeed, centuries to translate themselves into the minds of men of

affairs. But by the 16th century a new point of view is seen affecting politics. There is a new confidence in reason and organization, a grasp of realities which had been absent from Europe since the days of antiquity.

In political thought this new outlook is reflected by the Reformation. The Reformation is, sometimes, described as the Protestant Reformation. It was purely a religious movement which had been started by Martin Luther from Germany for ecclesiastical reforms and theological interpretations. It may rightly be regarded as a continuation of the Conciliar Movement. Had the Conciliar Movement been successful, there would have been no Reformation. It had nothing to do with politics. But soon it acquired a great political significance. A lot of literature on the subject was produced in which the contributions were made, chiefly, by such eminent leaders of the Reformation as Luther, Melanchthon, Calvin, Zwingli and John Knox.

Martin Luther

(1483-1546)

(a) *Introductory*—Martin Luther was born in 1483 at Thuringia. From the very beginning he was endowed with a deeply religious temperament. As one who always stood for the triumph of good, he was always unwilling to compromise with evil. In 1507 he was ordained a priest and was appointed Professor of Theology at the University of Wittenburg. He was sent to Rome in 1511. His visit to Rome proved to be a great event in his life. There he studied the institution of the Papacy, and came to the conclusion that it had completely degenerated. He returned back to his country with a great desire of reforming the Church. A little later a further shock came in his life. Tetzal came to Wittenburg and emphatically preached that the sins of an individual could be absolved and washed off, and his entry into heaven was assured on payment of certain sums of money to the Church. At this Luther was very much aroused. But, after the papal prelates undertook to bully him into submission, he began to study Church history, and as a consequence came to the conclusion that there was no historical foundation for the claims of the Roman Pope. Promptly upon reaching his conviction he seized upon all the sustaining argument he could find in the writings of men like Marsilius and Ockham and began to lash out with great vehemence against the dogma of papal supremacy. In his 'Address to the German Nobility', he appealed to the princes and knights of Germany to take matters in their own

hands and reform the abuses of the Church. He struck his tremendous blow with the weight of awakening German nationalism behind him.

He posted ninety-five theses on the Church door at Wittenburg. His purpose in doing so was to wean away persons from the delusion that salvation could be obtained by adherence to rituals ; he wanted to bring men back to the true Christian faith. He wanted to bring about change in the Roman Catholic Church. He wanted to destroy the concept that all Europe formed a single Christian community and that the Pope was the supreme arbiter over the whole of Christendom. He also rejected the conception that the Church was the ultimate master of human affairs. He was excommunicated by the Church and he thus broke away from it. He died in the year 1546.

(b) *Political ideas of Martin Luther*—Martin Luther, in the beginning when he started for reform against the Church, had no systematic religious philosophy. He could not anticipate the political consequences that were to follow his revolt against the Catholic Church. Luther saw that if his movement was to succeed, he must win over the secular authorities to his side against Rome. But the secular authorities were not at all interested in the theological aspect of the movement. It was not at all a matter of concern to them that individual should have direct relationship with God without the intermediary help of the Pope, and that he should have the right to interpret the scripture according to his conscience. The secular authorities were not prepared to involve in the question and come for help to strengthen the hands of reformers unless something attractive for their own prestige and power was to be found in the teachings and preachings. In his zeal for reform, Luther preached the divine origin of authority and the doctrine of passive obedience which strengthened the hands of national monarchies in many countries.

Only two doctrines of any political importance appear in his voluminous writings. One is his unequivocal insistence upon the generic differentiation of secular and spiritual occupations and authorities, and the other in his equally positive demand that good Christians should submit them to the established system of government. At first he had no purpose to challenge the supremacy of the papacy or to effect a separation of Church and State. But he was forced to do it under the unrelenting pressure of events.

After making his first successful break with Rome, Luther asserted the rights of individual conscience, the spiritual priestho

of all believers, though it was far from his intention to produce the social disruption which in practice his doctrine entailed.¹ Luther was a fine poet—as his hymns witness a man who saw life in immediate human terms. “Endowed with a boisterous temperament for all his brutality he discerned the spiritual content of ordinary things, and set high the value of family life. The core of the Lutheran doctrine is in the priesthood of Christian men: in this sense he is in line with Marsilius of Padua and the apologists of the Conciliar Movement”². There was nothing sacred about a clergyman, he said, save the duties he was to perform; and, if he was an offender against the law, the civil government had the same right to punish him as any other culprit.

The Church, he insists, is made up of laymen as well as of priests, and the authority of Church officials is a matter of convenience. If the Catholic Bishop proves unworthy of his task, the lay princes must take over their responsibility and become ‘bishops by necessity’. Though they speak as laymen, it is with a new authority. The distinction between the ‘spiritual’ and the ‘secular’, so clear in Augustine and Calvin, is repellent to Luther.³ It follows that, since Luther was in tune with ordinary life and people, he attacked the spiritual monopoly of the Roman priesthood, and by implication thought of the ‘lay’ government as something more than a ‘secular arm’. He is on the side of those who regard secular society as possessing a spiritual value of its own, and not as a mere ‘brigandage’.

In spite of his great enthusiasm for reform and revolutionary fervour, Luther was essentially conservative by temperament. Take, for example, his attitude to the Peasants’ Revolt in 1525. When his demand for direct action began to beget violence, Luther took alarm. Revolting peasants destroying and plundering monasteries and castles and financial Anabaptists, proposing to sweep away the whole fabric of institutional religion filled him with apprehension. Vehemently again he appealed to the nobility, this time urging that they put down all insurrectionary movements without pity. Which advice they adopted with alacrity and executed with such ruthless and summary obedience that in the summer of 1525 alone more than ten thousand peasants were slain in the holy cause of law and order.⁴

1. John Bowle, *Western Political Thought* (London), 1961, p. 275.

2. *Ibid.*, p. 275.

3. *Ibid.*, p. 275.

4. Account of the suppression of the Peasants’ Revolt, 1525, cited by Prof. C. C. Maxey, p. 155.

It was now revealed to Luther that secular authority was sanctioned by God: "Our princes must in the circumstances regard themselves as the officers of the Divine Wrath which bids them chastise such scoundrels.... A prince who in such circumstances avoided bloodshed would be responsible for the murders and all further crimes these swines commit.... they must be made to understand their duties by means of the arquebuse". Luther had a thoroughly German respect for the official classes, and though he could and did hate individual rulers, he was consistently on the side of authority as such. "I would rather", he writes, "suffer a prince doing wrong than a people doing right". This aspect of his movement was to prove practically disastrous for Germany. The Reformation never linked up with the ancient traditions of German medieval liberty and the promise they contained of the capacity for self-government. Luther's submission to authority marked a disastrous turning point in German development, a failure of leadership with adverse repercussions on the future.⁵ It is through this device of exalting secular authority that Luther puts forward his positive demand that all good Christians should submit themselves to the established system of government. His advice for submission to secular authority is not only for the Christians but also for non-Christians. It must be so, he reasoned, both for Christians and non-Christians; for Christians, because the scriptures declare that the powers that be are ordained of God and enjoin obedience to them; for non-Christians because they have not the guidance of the Holy Spirit and need the iron hand of authority to keep them in peace and order. "Despite this bow to secular power, Luther takes strong ground against interference by secular authorities in matters of belief, and argues that the eradication of heresy should be left entirely to the clergy".⁶

(c) *His Importance*—Lutheranism made for the creation of national churches, for the disruption of that unity of Christian men which Luther taught. Further, Lutheranism was introspective, and was concerned with the struggle within the individual soul. This emphasis on faith rather than on works made it a more inward-looking religion than the comparatively extrovert Calvinism.⁷ Luther, both as a religious genius and as a medium of the German protest against an alien influence, had little direct concern with larger

5. John Bowle, *op. cit.*, p. 277.

6. C. C. Maxey, *Political Philosophies*, p. 155.

7. John Bowle, *op. cit.*, p. 276.

political issues; his political views are immediate and often inconsistent, and he left little effective organization behind him. Politically, Protestantism, so long as it was restricted to Germany, was mainly destructive. At the same time Luther's assertion of the spiritual value and freedom of the lay believer was of great significance. His doctrine proclaimed the importance of the spiritual life, to be tried out in the world, no longer cloistered in the confines of monastic institutions and chastened by Catholic discipline. Further, Lutheranism is a landmark in the transference of authority from institutions to persons.⁸ Secular authority was, however, the greatest beneficiary of his teachings.

Philip Melanchthon
(1497-1560)

(a) *Introductory*—Philip Melanchthon was born in 1497, and died in the year 1560. He became Professor of Greek at the age of twenty-one in the University of Wittenburg. A great educationist, Melanchthon, was a colleague, adviser and faithful disciple of Luther. Intellectually he was both his superior and in many respects his opposite. He was a deep student of the classics and especially of Aristotle, and in his hands the intellectual case of the Reformation takes on a more pleasing and a more rational aspect.⁹

(b) *Political ideas of Melanchthon*—The political ideas of Melanchthon were the true representatives of the spirit of Reformation. It becomes quite obvious when Melanchthon discusses the problem of relationship between the State and the Church. He starts with the contention that the object of government was not to enable people to seek and enjoy the goods of the stomach—as Marx wanted, but the goods of life everlasting. This gives an overwhelmingly supreme position to the secular authority as against the papal government. According to Melanchthon, secular authority is the product of natural law and natural right. The principles of natural right are contained in Ten Commandments or Jewish Decalogue. Melanchthon believes that they are implanted in the human mind by God himself. Social and political institutions, according to him, have grown out of these principles. Hence, they are in accord with the Will of God. It is the duty of every Christian to render obedience to these institutions. He further tries to prove through the authority of scriptures that the secular government rests on

8. *Ibid.*, pp. 277-278.

9. C. C. Maxey, *op. cit.*, p. 157.

principles of natural law and right. The Divine Right of kings was a direct corollary of this advocacy. It was on this basis that he preached the doctrine of the Godly Prince who was entitled to be obeyed by every Christian. But the Prince was under an obligation to be an example to his people as David had been. The ruler, thus, had the obligation to be pious. He was not a secular, profane prince, after the style of Machiavelli.

According to Melanchthon, the functions of the secular government are the protection of property, the safeguarding of liberty, the maintenance of order, the punishment of criminal offenders, and the promotion and preservation of true morality and religion among the people. Property and liberty to Melanchthon are not absolute rights. Property may be taken away by the government if the owners abuse it. This was, however, done by Melanchthon to justify the claims of the Protestant princes in confiscating the property of monasteries. Liberty again was to be denied or curtailed in order to preserve the status quo. On the question of suppression of heresy, Melanchthon's views are different from those of Martin Luther. Heresy, according to him, is equivalent to blasphemy, which is a serious crime. To root it out and punish the offending persons was a great duty of the secular government. In this way both spiritual and secular matters became the concerns of the civil government. The Church was reduced merely to the position of an agency of the State working under its supervision and control. The State came to be interpreted as a divine institution and its head essentially a benefactor of his people.

John Calvin

(1509-1564)

(a) *Introductory*—John Calvin was born in 1509 in a Catholic family of Picardy in France and died in 1564. After his conversion to Protestantism in 1533, he was obliged to leave his country. After wandering here and there and visiting a number of places, he came ultimately to Geneva. He stayed in Geneva for about three years, but he had to leave the city because of his growing unpopularity. But his services were found to be indispensable and he was again called back by the citizens of Geneva. Calvin, gifted administrator as he was, grew steadily in strength and in the later years of his life, he became a virtual dictator of the city.

From Calvin came the most dynamic political thought of the Reformation. If Luther is the Danton of the Reformation, Calvin is its Robespierre. He represents Augustinianism, in theology,

carried to its final and crucial limit. The logic of this Frenchman, who adopted Geneva as his home, had a clarity such as the German Luther never attained.¹⁰ He is sometimes described as the lawgiver of the Reformation. In the words of Professor Phyllis Doyle he wanted to "discover a substitute for the authority of the Catholic Church which should be as powerful and as coercive as that living flexible body". He could find such a substitute in the Bible, which he regarded as the inspired word of God.

His famous 'Institutes of the Christian Religion' was published in 1535. According to Professor John Bowle, the immediate cause of its composition was as follows. In the year 1535 Francis I had published an attack, probably written by du Bellay, on the Protestants in France, whom he identified with the German heretics and denounced as international public enemies. Calvin's book was written to justify and to rally these French Protestants. He sets himself to defend his Protestant countrymen by defining Protestant doctrine. He asserts its dignity and right to exist. According to Professor Dunning, the 'Institutes' was designed, "as a complete guide to the soul that sought to live according to God's Word ; and it furnished, indeed, a much safer resort, in many respects, than the Bible itself. For, Calvin, like many other great leaders of the Reform, greatly dreaded the fanatics who derived from the scriptures revolutionary social doctrines, and he shaped an interpretation that was based on the jurists, postulates of order and authority".¹¹

(b) *The Theology of Calvin*—Politically Calvinism, if in alliance with the law power, was bound to be authoritarian, but it insisted that spiritual authority be exercised by the elders of the Church.¹² Calvin is not prepared to accept that Protestants are rebels, except, and it is a large exception, against a usurping power which overrides private conscience. He says that government ought not to "compel consciences in matters which have been set free by Christ", or force them to deviate from the 'only law of liberty' which they must obey if they are to remain in a state of grace. Thus 'order', 'discretion' and 'modesty' are the aims of civil society. Calvin gave his followers the strongest possible motive that they could resist an authority of the Old Testament Prophets to justify the authority of their successors, the elders of the Reformed Church.

10. George Catlin, *A History of Political Philosophers* (1950), p. 216.

11. W. A. Dunning, *Political Theories : Ancient and Medieval*, p. 156.

12. John Bowle, *op. cit.*, pp. 280-81.

Their task, he says, is to destroy the Councils and all authority which prevent the true understanding of God, to see that God is obeyed, and to punish defaulters; they are his shepherds who not only protect his sheep but 'kill the wolves'.

Writing about the 'Civil Magistrates', he says, that they are directly under God, and are thus directly Ministers of Divine Justice. They have a right to kill and punish the perverse. But, he asserts that if the civil power becomes intolerable, they ought not to bound themselves over as serfs to the wicked cupidity of men, and still less, to impiety. Thus, although Calvin himself enjoins obedience to the civil power, the Calvinist political outlook approximates in the long run to that of the extremest Catholics; they hanker after a theocracy, naturally enough in the light of the theological structure they have built up.¹³ Such was the interpretation of the Gospels made by Calvin. To summarise his position in this regard, Calvin was willing to obey the secular authority as long as it obeyed the theocracy, but where the government was hostile, Calvinism developed an attack on the secular authority.

(c) *State versus Church*—According to Calvin the State is based on two fundamental ideas, viz., the Sovereignty of God and the Fall of Man. To him men are evil, nine out of ten being damned. Secular Government is, therefore, necessary to preserve order. It is as necessary for human life as the Church and any other necessities. Both the Christian Church and the Christian State, in his view, are created by God. The two were designed by Almighty for wholly different purposes. Although they will be performing two different sets of functions yet they must be kept autonomous and distinct. Since the authority of the Church is spiritual, it should include no element of secular concern. And as the authority of the State is temporal, its jurisdiction, therefore, should be confined to the physical and external existence of man. But the two are equally sacrosanct. In spite of the insistence of Calvin on the separation of Church and State organisations, the Geneva system which grew up under the influence of Calvin was a Church-state because it was "theocratic in principle and aristocratic in operation".

(d) *Calvin and Passive Obedience*—Among the political views of Calvin, the most important was his assertion of the duty of passive obedience in respect to which he was quite in agreement

13. *Ibid*, p. 281.

with Luther. He says that since the secular government is an external agency to ensure salvation, the position of the magistrate should be treated as very honourable. He is the lieutenant of God on earth, and, therefore, any resistance to him is resistance to God. It is not the business of the private man to suggest and to determine as to what is the best condition for the State. If anything needs correction, let him show it to his superior and not put his hand to the work. Let him not do anything without the command of his superior. The bad ruler, who is a visitation on the people for their sins, deserves the unconditional submission of his subjects no less than the good, for submission is due not to the person but to the office, and the office has inviolable majesty. "It is true that Calvin, like practically all sixteenth century advocates of the Divine Right of kings, expressed strong views on their duty of rulers to the subjects".¹⁴

(e) *Calvin and the Law of Nature*—Calvin believed in a law of nature. To him the moral law represented human knowledge of the natural. He asserted that the divine purpose for mankind was to bring some men to the supreme happiness of salvation. How was this to be achieved? The answer was to be found in the Bible. There God had shown to the Israelites the form of government by which his will could be effective. Moses had received from God the tables of stone on which was engraved the law of God. The end of all human activity was to obey this law, the penalty for disobedience was eternal damnation. The law was divided into rules for conduct towards God, and rules of conduct towards man. The slightest slip in the performance of the smallest of these details was as grave and consequential as the most formidable sin, for man could not differentiate between the different orders of God, each was equally binding. Conforming to the natural law, there was natural right. Attached to the natural right, there were natural duties also. The natural rights which are inalienable are right to law, right to liberty, and right to freedom of worship. Non-performance of duty was regarded to be a sin. A default in one's duty towards one's neighbour was a crime against the community. A default in one's duty towards God or religion was considered to be an unforgivable crime. A non-performance of duty towards the State, whose primary function was the maintenance of the whole law of God, was an inexcusable crime. Everywhere it was agreed that obedience to the law of God was a religious duty, that human laws were valid

only when they partook of the nature of the divine law, that government was instituted specially to carry this system of law into effect. Hence obedience to government was a religious duty of the highest order and disobedience a corresponding sin. "Calvin introduced in an acceptable form through the fiction of the authority of the Bible, the most powerful conceptions of the Middle Ages in relation to the nature of law and political obedience".¹⁵

Ulrich Zwingli

(a) *His political Philosophy*—Historically he precedes Calvin, but from the point of view of significance and importance his name comes later. He was a great Swiss Reformer, and as a leader of the Reformation, he did not make any significant contribution. According to Prof. Dunning, "At the outset he does not seem to have contemplated the assumption of ecclesiastical function by the State; his theory as to the distinction in kind between spiritual and secular institutions and authority was not essentially different from that of Luther".¹⁶ Zwingli regarded the Church as the invisible communion of the saints, while whatever regulation was necessary for the proper institution of worship and discipline was a function of a secular organ of each community. Like Calvin, Zwingli also believes that state was an external agency to regulate spiritual life. He thus "blended state and Church in a single organization. The community determined for itself, through its constituted authorities, the form and manner of its spiritual life as well as the rules which should control its mere physical existence".

Zwingli, like Luther and Calvin, also teaches the doctrine of obedience to the civil government and he authorised the civil government to put down heresies. He stood for religious toleration in so far as "the teachings of the Scriptures were not contravened". In his political thinking Zwingli was largely influenced by the democratic tendencies of his country. That is why, instead of teaching divine right of kings, receiving passive obedience from their subjects, Zwingli puts forward the idea of a Christian Commonwealth in which the faithful should cooperate in establishing and administering the civil authority. "A democratic State imbued with the social spirit of primitive Christianity was the political ideal of Zwingli".

15. Phyllis Doyle, *A History of Political Thought*, 4th edition, 1955, (London), p. 143.

16. W. A. Dunning, *Political Theories, from Luther to Montesquieu*, p. 24.

John Knox

(a) *Political ideas of John Knox*—The writings of John Knox mark the stages whereby Calvinism worked out to its logical conclusion and linked up with idea of natural law. The essential points to be noted in his thinking are that, firstly, he abandoned Calvin's belief that resistance is always wrong and, secondly, that he defended resistance as part of the duty to sustain religious reform. "His stand was taken upon the ground of religious duty, not of popular rights, but it put one great wing of the Calvinist Churches in opposition to royalist power and boldly justified the use of rebellion".¹⁷

His 'Appellation' to the nobility, estates, and commonality of Scotland was written at a time when John Knox was living in exile and under sentence of death by the Catholic hierarchy in Scotland. In his 'Appellation', he asserted that the "duty of every man in his station is to see that true religion is taught and that those are punished with death who deprive the people of the food of their souls, I mean God's lively word".

Although having different views from Calvin on the question of resistance, but in essentials Knox did not depart from Calvin's principles. He accepted the truth of Calvin's version of Christian doctrine and also the duty of the Church to enforce its discipline against all who do not willingly accept it. He rejected Calvin's doctrine of passive obedience and asserted that it was their duty to correct and repress whenever a king acts contrary to the word of God, his honour and glory. Writing in his 'Appellation' at one place he says :

"For now the common song of all men is : we must obey our kings, be they good or bad, for God hath so commanded. But it is blasphemy to say that God hath commanded kings to be obeyed when they command impiety. The punishment of such crimes as are idolatry, blasphemy and others that touch the majesty of God, doth not appertain to kings and chief rulers only, but also to the whole body of that people and to every member of the same, according to the vocation, which God doth minister to revenge the injury done against his glory, what time that impiety is manifestly known."

The fuller development of Knox's revolutionary or anti-monarchical Calvinism was reached in such a work as the 'Vendiciae Contra Tyrannos (A Defence of Liberty against Tyrants),

17. G. H. Sabine, *op. cit.*, pp. 316-17.

written by Hubert Languet and published in 1579 which systematized the argument presented in the preceding few years. It became one of the landmarks of revolutionary literature.

POLITICAL INFLUENCE OF THE REFORMATION

All the leaders of the Reformation Movement, Luther, Melancthon, Zwingli, Calvin and Knox were united in the opinion that moral law was superior to secular law, and that it was the duty of political sovereigns to be guided by the higher law. This teaching of the reformers did much to counteract the rationalising, non-moral and non-religious spirit of Machiavelli. "To the reformers the relation of Church to State and the moral basis of the latter constituted practically the whole of political theory" and in this way, they followed and developed the medieval doctrines.

The reformers rejected the great medieval idea of a universal empire and a universal Church. "The result was not only to give a great impetus to political nationalism, but also to enable ambitious and energetic rulers to fortify themselves in the exercise of absolute authority. The Reformation movement greatly enhanced the dignity and power of the princes. The result of this was that in monarchic lands the tendency of the Reform was to enhance the hold of the monarchical principle and in aristocratic governments to confirm the principle of aristocracy. In both, the effect was to strengthen absolutism in the political sovereign".¹⁸ But while strengthening the cause of absolutism, the reformers were not blind to the tyranny and high-handedness on the part of the monarchs. Their doctrine of passive obedience was given well-defined limits. This indirectly served the cause of popular government. The political thought of the Reformation, on the one hand, served the cause of absolutism, and, on the other hand, the advocates of democracy and popular government could also draw very heavily on it.

18. W. A. Dunning, *op. cit.*, p 36

CHAPTER 37
JEAN BODIN
(1530-1596)

“Bodin represents the beginning of modern political thought much better than does Machiavelli just because he is on the threshold of the new era. Standing as he does between two worlds, Bodin looks in both directions. Thus it is symbolic that he should at one and the same time lay the foundation for empirical social study with his theory of climate and also urge upon his ruler, the study of astrology and other medieval lore ; that he should point a head to the completely lay notion of sovereignty as a centre of force for administering the State and back to the conception of the ruler as God’s vicar, deputized to implement divine law on earth”.

—*W. T. Jones*

1. *Life and works of Bodin*—A great upholder of the monarchic claims, Jean Bodin was undoubtedly one of the most original and enlightened thinkers whose name appears in the chronicles of political thought. He was born in 1530 in Anjon in France. He studied law at the University of Toulouse, and served as a lecturer in law for

some time at the same University. Later he started his practice of law in Paris. As a lawyer he spent his time in learned pursuits as to the practice of his profession. His literary works and charming personality attracted the attention of Henry III, who appointed him King's Attorney at Laon in 1576, the year in which he published his great treatise on the State. In 1581 he was made Secretary to the duc d'Alençon's mission to England to seek the hand of Queen Elizabeth. His career came to end with the termination of this abortive expedition. He resumed his legal and literary work in Laon, and there he died of Plague in 1596.

Jean Bodin marks an epoch in the history of scientific politics. He was scholarly type of man, conservative in quality yet glowing with the inspiration of the Renaissance. He knew several languages, read Greek and Roman writers and had some knowledge of the scholastics also. He had read the Old Testament of the Bible and evinced great interest in the study of physical sciences of his day. To quote Professor Hearnshaw, "The chief of the influences in his intellectual life seems to have been the Old Testament and the new Platonic Philosophy as interpreted by the Italian Platonists."¹

Bodin published his 'Response' in 1569. It was a treatise on political economy. Besides, he published his 'Demonomanie', 'Heptaplomeres' and 'Universal Natural Theatrum'. But his most important work was 'De Republica' (or Six Books Concerning the State). This book was published by Bodin in 1576. This work was occasioned by the Civil Wars, and was written with the avowed purpose of strengthening the king². It contains his views on 'Heptaplomeres', the nature of political society, general rules of policy and suggestions about a number of reforms in the state. The 'De Republica' might be described as a defence of politics against parties. The book formed the main intellectual production of an already growing body of moderate thinkers, known as the 'Politiques'. The book achieved a great reputation in its day and has been given by all scholars an important place in the history of political thought.³ Its importance was less due to its elaborate effort to revive the system of Aristotle than to the fact that it took the idea of sovereign power out of the limbs of theology in which the theory of divine right left it.⁴ Bodin's 'Republica', in fact, was intended

1. F. J. C. Hearnshaw, *The Social and Political Ideas of the 16 and 17th Centuries*, edited, p. 42.

2. G. H. Sabine, *A History of Political Theory*, p. 340.

3. *Ibid.*, p. 340.

4. *Ibid.*, p. 340.

to supply the principles of order and unity upon which any well-ordered state must rest.⁵

Another very comprehensive work of Bodin which was published about ten years earlier than the 'De Republica', was 'A Method for the Easy Understanding of History'. Here Bodin suggests certain radical changes absolutely new in respect to many cherished conceptions of social and political beliefs and innovations based upon a new attitude towards the interpretation of history. He does not take a cosmic view of history, seeking to find its first causes and unfold its governing laws, but he is much interested in the rational writing of history and its intelligent interpretation. He insisted that impartiality in judging and recording events was one of the necessary qualities of a historian, and held that history would supply the answers to many questions if men would only study the subject dispassionately and intelligently.⁶ One of his favourite doctrines was that the study of history was essential to explain the origin and nature of law.

2. *Times of Bodin*: Bodin lived during the period of the French wars of religion. These wars continued for a period of about forty years, the country having been brought to the verge of ruin by the extremists on opposite sides. In the words of Professor Allen, the French monarchy was "an invasive and aspiring rather than a governing power".⁷ Although the earlier kings had started the work of construction and consolidation, but the process was not yet complete. To quote the same writer again, "In every part of its territory the action of the central government was limited or obstructed by clerical noble provincial and communal privileges or customs. The centralised machinery of administration, so far as it existed, was at once extremely insufficient and very imperfectly controlled. Law varied from province to province and even from town to town".⁸ This situation was all the more aggravated by the religious quarrels later in the century. The religious dissenters had allied with others. They wished to resist the government, and formed the Huguenot party. In the civil wars which followed in France, the centralized government practically disappeared and France all but

5. *Ibid.*, p. 341.

6. C. C. Maxey, *Political Philosophies*, pp. 163-64.

7. J. W. Allen, *A History of Political Thought in the Sixteenth Century* (1928), p. 212.

8. *Ibid.*, p. 271.

broke up.⁹ In this situation, Bodin saw that peace could not be lastingly established as long as either side—Catholic or Huguenot—insisted on trying to enforce its own doctrines on the other.

In the tangled politics of France, his affiliation was with that group of distinguished thinkers, who were known as Politiques—who saw no hope of restoration of peace and order except through the suppression of all the parties, and hence they assigned an unquestionable supremacy to the monarch. The Politiques advocated the restoration of political unity by means of the recognition of religious diversity. To them, the greatest need in any state was the need of simple order. Religious interests were secondary considerations. Hence religious toleration was necessary. It was by these views of the Politiques that Bodin was highly influenced in his political reasoning. In an age of bigotry and fanaticism he walked by the steady light of reason; in an age of distraction and dissension he exalted unity and order; in an age of irrational creeds he was believer in none, but an unrelenting foe of intolerance; in an age of intellectual sterility he was an enlightened and independent thinker animated by the true spirit of philosophy.¹⁰ But since the age of Bodin was neither medieval nor modern, but a striking combination of both, it was natural for him to be a true child of the paradoxical age.

3. *The Method of his Treatment*: The method used by Bodin for the study of political science is historical in character. It was somewhat similar to Machiavelli's but with a far wider scope. He analysed the past and the present conditions of many states instead of one and constantly compared his findings. He took much from Greek and Roman theory, something from Christian sources and the later medieval jurists, and added copious illustrations from contemporary events.¹¹ In the cases of other philosophers their conclusions were shaped automatically out of a wide range of observed facts. Bodin on the other hand marshals his array of facts to sustain the conclusions already assumed. He tried to find amidst this matter of information certain laws reducing the developments and behaviour of states to an intelligible form.

Through the pursuit of historical and analytical method of study, Bodin created a philosophy of history making distinction

9. *Ibid.*, p. 272.

10. C. C. Maxey, *op. cit.*, p. 162.

11. Phyllis Doyle, *A History of Political Thought*, 4th edition, 1955 (London), pp. 144-45.

between critical and uncritical use of history and theological authority. It is all guided by the broadest erudition and exceptional philosophic insight, with a pronounced scepticism as to all human authority. In his 'Methodus' he was the first writer to represent a new attitude towards the interpretation of history and to set forth a philosophy of history in the modern sense. He was the first to make an exhaustive and scientific review of facts of human development and the basis as to generalisation of principles and purposes underlying that development. He gives his ideas as to the influence of climate and topography on political and social institutions. His doctrine as to the forms and transmutation of states and his striking assertion of the theory of human progress was opposed to the ancient dogma of deterioration from a golden age.

In the dedicatory preface of his 'Methodus' he severely criticises the current method of legal study. This, he says, consists in a dull and profitless reading and absolute laws of a single people, the Romans. According to Bodin, the serious and useful study of law must include the system of all people specially those who have shown most progress and enlightenment. His concept of legal science is very close to that which is now designated as historical and comparative jurisprudence. Law and politics, he says, are closely related sciences and both must be studied through the help of history. This historical, analytical, comparative and observational method entitles Jean Bodin to be placed in the rank of modern thinkers.

4. *Bodin's Theory of the State* : Bodin's theory of the state in its material content resembles very largely with that of Aristotle's, although the outline was obscured by almost endless digressions. Men, according to him, progressed from social life to political life. Social life, to Bodin, originated in the family group. He considers family as the very basis of the state. To him, family was a natural association for the obvious reason that wherever men were found, they must associate themselves with women and children. The maintenance of the family demanded property. The natural inferiority and incapacity of women and children to take care of themselves demanded the exercise of full paternal control. Following Roman and Christian precedents, Bodin declared that the father had in early times a superior power, over all his children, even over life and death. This power, in the time of Bodin, was circumscribed by several new laws in France. Bodin wants that it must be re-established in full force. To quote Prof. G. H. Sabine, "He seriously

proposed reviving the most extreme powers of the *pater familias* over his dependents, with complete control over the persons, the property and even the lives of his children". Bodin was fully convinced that much of the chaos in France was due to the decay of the family. To him, the family supported by private property and absolutely controlled by its paternal head was the primary form of government. He regarded it to be a complete cell from which the state had grown. Bodin does not make it clear as to how the isolated and independent patriarchal groups were converted into communities, composed of several families and so organized as to substitute control by the community for paternal control.¹² But he suggests that the change was brought about by conquest. Yet he believed that the force is self-justifying after the foundation of the state. Superior force may make a band of robbers but not a state. He eliminated the mandate of God which the theory of Divine Right of Kings offered as a foundation for king's authority. But whatever might have been its mode of formation, it is a natural extension of the family, and grew out of the natural impulses and needs of human life. In the light of this conception and development Bodin defines state as "a lawful government of many families and of what is common to them, together with a supreme sovereignty". It is thus obvious that a state is composed of a number of families. If each family be well governed and orderly, the state as a whole will be well and peaceably governed. It is of the first importance, therefore, to see to it that family life is well regulated. According to Bodin, four types of regulations are involved in a family: that of the husband in respect of his wife, a father in respect of his children, a master towards his servants, a lord towards his slaves. Bodin rejects the fourth type of authority as being both immoral and imprudent. Bodin calls the state a lawful government in order to distinguish it from a gang of robbers or of pirates. However much such a gang may seem to form a society, and its members to live in amity among themselves, we ought not to call it a 'Society' or 'State' because it lacks the principal mark of a peaceful society, namely a lawful government according to the laws of nature.

Bodin had no clear theory of the end of the state. He was very indefinite with respect to the end which a sovereign power should seek for its subjects. To quote Professor G. H. Sabine, "He saw that Aristotle was not a safe guide here, the ends sought by the

city-state being impossible in a modern kingdom. Hence, he said, the happiness or goodness of citizens was not a practicable end. Yet he was unwilling to restrict the state to the pursuit of merely material and utilitarian advantages, such as peace and the security of property. The state has a soul as well as a body, and the soul is higher, though the needs of the body are more immediately pressing. In reality Bodin never gave a clear account of these higher ends of the state. The result was serious deficiency in his system, since he never succeeded in explaining precisely the reasons for the citizen's obligation to obey the sovereign."

5. *His Theory of Sovereignty*: The most important legacy left by Bodin for political thinkers is his masterly doctrine of sovereignty. It, in fact, grew out of the historical conditions of his time. In face of the confusion of the religious wars, Jean Bodin saw the salvation of France in the rule of a central power. He is concerned to make the power of government so strong that it transcends the particular interest either of provincial autonomy, that perennial obstacle to the policy of the French crown, or even of religious beliefs. This realistic view anticipates the thought of the seventeenth century.¹³ Living in a period of political chaos, and conceiving that the religious and other disturbances of the time were attributable in the last analysis to the importance of political authority, Bodin naturally arrived at a view of the state which exalts unity and power. His primary concern in fact is not to explain the state, but to justify authority.¹⁴

After explaining the foundation of the state, Bodin proceeds to explain certain peculiarities which distinguished it from other forms of association. The main attribute, to Bodin, of the fully formed state was an absolute power to make laws and to command obedience to them from all its members. This was the essence of the state, without which it disintegrated into the former loose association of families. Bodin examined the nature of this sovereignty and attempted to define the term abstractly. Although the germs of the theory are traceable as far back as the Roman Law, but Bodin was the first to define it clearly and embody it in a philosophy of politics.¹⁵

13. John Bowle, *Western Political Thought* (London). 1961, p. 291.

14. C. C. Maxey, *op. cit.*, pp. 164-65.

15. *Ibid.*, p. 164.

Bodin defines sovereignty "as the absolute and perpetual power of commanding in a state. It is a supreme power over citizens and subjects unrestrained by law". If this definition of sovereignty is to be analysed, we find, in the first place, that sovereignty is absolute. In putting forward the absolute conception of sovereignty, Bodin wanted to serve twofold purposes. Firstly, he wanted to reject the claims of the Pope to exercise authority over secular affairs. Secondly, he wanted to reject the claims of feudal lords and corporations to inalienable rights and immunities. His purpose was to subject them to the authority of the king. Sovereignty, in the second place, is perpetual. It is, thus, distinguishable from any grant of power that is limited to a specific period. It is undelegated, or delegated without any limit or condition. The monarch who enjoys sovereign power during life is sovereign. But one who enjoys for a definite period is not a sovereign. The Magistrates, Viceroys and Regents are not sovereign because their authority is delegated for a specific period. The sovereign is next to God while the others are next to the sovereign. Sovereignty, in the third place, is unrestrained by law. Since laws are framed by the sovereign himself, his authority, therefore, cannot be subjected to limitations by those laws. The sovereign is the only source of law. It is he who gives laws to the citizens, both individually and collectively. Bodin's law is essentially the command of a human superior. He cannot be made legally accountable to his subjects. Lastly, and in the fourth place, the other attributes of sovereignty are declaring of war, concluding peace, making treaties and forming alliances with fellow sovereigns. The sovereign has a right to appoint Magistrates, coin money, grant pardon and levy taxes. He can carve out any domestic and foreign policy for his state. He can suppress any person or body of persons whose activities he considers are dangerous to the interests of the state. He is the highest court of appeal in all civil and criminal matters.

But, in spite of such vast powers, the authority of the monarch is not unlimited. It is limited by the law of God or the law of nature which determines the standard of right and wrong. It is also limited by the Law of Property and Constitutional Law. Property is an attribute of family, an independent unit out of which the state has originated; sovereignty of the state should, therefore, cease at its threshold. Constitutional law is the embodiment of various well established principles which have proved their utility from generation to generation and should be honoured. Bodin has also admitted the

existence of a peculiar class of laws which are necessarily connected with the exercise of sovereignty itself and which even the sovereign cannot change. These he called *leges imperii*, implying apparently that sovereignty itself would vanish with their violation. The idea behind the *leges imperii* was that, except as an element of the realm, the crown would have neither existence nor power; the idea behind the definition of sovereignty was that the crown is the chief legislative and executive organ in the realm. These two propositions are not incompatible, but there is room for endless confusion when they are both loosely combined in the conception of sovereignty.¹⁶

Bodin's theory of sovereignty is replete with some glaring inconsistencies. He tries to limit the authority of the sovereign through the Law of God or the law of nature. But since this law is interpreted by the sovereign himself, and since it is self-imposed, it does not impose any limitation on the authority of the monarch in the technical sense. It has no constitutional or political significance. What will happen in such a case if a law made by the Prince demands a course of action which clashes with the law of nature? Should the Magistrate refuse to enforce it? Or should the citizens disregard it? To these questions, Bodin does not give any reply. To quote Prof. Sabine, "The law is at once the will of the sovereign and an expression of eternal justice, yet the two may be in conflict".

Another inconsistency in Bodin's theory of sovereignty arose from his fidelity to the constitutional law of France. In the words of Prof Sabine, "All his natural inclinations, both as a lawyer and a moralist, were on the side of constitutional government and respect for the ancient usages and practices of the realm. In common with the prevailing opinion of his time, he recognized that there were certain things which the king of France could not lawfully do. Specifically, he could not modify the succession and he could not alienate any part of the public domain; yet he was convinced that the king of France was sovereign in the full sense of the word, in fact, was the example par excellence of a sovereign".¹⁷

A third confusion in Bodin's theory of sovereignty arose out of his conception of private property. He regarded private property as sacrosanct. To take it was to destroy the family and to destroy the families was to destroy the state. The sovereign could not touch it without the owner's consent. It is, thus, clear from this

16. G. H. Sabine, *op. cit.*, p. 348.

17. *Ibid.*, p. 348.

conception that sovereign cannot levy any taxation on property. Confusion arises where Bodin says that the sovereign ruler who can legislate as he pleases, is difficult to reconcile with the idea that he has very limited powers of taxation. To the question whether the authority of the sovereign should be obeyed or not when he does not care for the limitations imposed upon his powers, Bodin does not give any reply. He, however, does not justify rebellion against the monarch.

6. *Distinction between State and Government* : Another very important feature of Bodin's political philosophy which makes him the pioneer of modernity is the distinction that he has made between State and Government. "The possession of supreme power determines the form of state, but the system and method through which this power is exercised determine the form of government. In other words, the form of state is determined by the location of sovereignty, that of government depends upon the manner and system in which that sovereignty is exercised. The form of government does not however depend upon the form of state. As for example, the form of a state may be democracy, yet it may be governed by aristocracy or dictatorship. Thus, a monarchic state has a democratic government when the monarch, who alone is the sovereign, confers honours and office on all classes alike.

According to Bodin, there are three forms of state, i.e., Monarchy, Aristocracy and Democracy. Each of these forms may include several species or types. There are three species of monarchy, viz., despotism, royal monarchy and tyranny. Of all these the royal monarchy of the French type is the best, because in a royal monarchy, "The subjects are secure in their rights of person and property, while the monarch, respecting the laws of God and nature, in all matters outside of these receives willing obedience to the laws he himself establishes". Tyranny on the other hand, to Bodin, is the worst form of state, but if the tyrant is a legitimate sovereign, the subjects must dutifully obey him. This shows Bodin's inherent respect for constituted authority, and particularly an absolute authority. Democracy is marked by fickleness, venality and administrative inefficiency. He regarded the sovereignty of the group always to be theoretical rather than real. Bodin, like Polybius and Cicero, did not believe in the mixed form of government.

7. *Religious toleration* : Religious toleration is another very vital principle of Bodin's political philosophy. It is this that makes him a modern and progressive thinker. According to Bodin, among

the many causes of internal faction is religion. Fortunate is the state as to have a religion universally followed by all the inhabitants. But what about a state where several religions exist? Bodin suggests a policy of religious toleration towards them and to permit religious differences. People of different religious sects should be permitted to live in liberty according to their conscience, to worship according to their own rites, and to bring up their children in their faith. But where a dissenting sect becomes seditious, a good prince will not try to destroy it.

As already mentioned, Bodin belonged to that body of moderate thinkers, who were known as the Politiques. They saw "in the royal power the mainstay of peace and order and who, therefore, sought to raise the king, as a centre of national unity, above all religious sects and political parties". They were among the first who contemplated the possibility of tolerating several religions within a state. Their policy of religious toleration was governed by the consideration of the unity and solidarity of the French nation. They perceived that religious persecution was ruinous to the state and they condemned it on this utilitarian ground. Bodin, by accepting and advocating their policy of religious toleration has qualified himself to be placed in the list of enlightened thinkers. His 'Republic' was intended to supply the principles of order and unity upon which any well-ordered state must rest.

8. *Bodin's Conception of Citizenship* : Another very striking and essentially modern feature of Bodin's political theory is his conception of citizenship. To Bodin, citizens were subjects and nothing more. He defines citizen as "a free man who is subject to the sovereign power of another". The citizens enjoy rights and privileges among themselves but are all subject to the sovereign. The right to vote, to hold office, to own property, and to enjoy other civil prerogatives are not inalienable attributes of citizenship. Many of them may be expressly granted, and all of them may be abridged or curtailed. But the duty of obedience is always implicit in the fact of citizenship, and is never abrogated or decreased. Bodin does not believe in the equality of rights between citizens and allows the nobility its own social and political status. The sole test of citizenship, according to Bodin, consists in the recognition of and subjection to a common sovereign.

9. *His views on Slavery* : Another very important question discussed by Bodin was that of slavery. In his 'Republic' he comes forward with a vehement attack on this universally prevalent

institution. Bodin was horrified to read the indescribable cruelties, tear-invoking atrocities and breath-stopping tortures inflicted on slaves by their masters. Such an inhuman treatment to which the slaves were subjected shook up the mental frame of Bodin. That is why we find him declaring, "If such a wretched institution is existing anywhere in the world, it should be abolished forthwith, and if it has already been done away with, it shall be buried so deep that it should not show its glimpse again". In his 'Six Books of the Commonwealth', Bodin tries to show as to who are the slaves. Slaves are either naturally so, being born of slave women or slaves by right of conquest, or in punishment for some crime, or because they have sold or gambled away their liberty to another... Household servants are in no sense slaves".¹⁸ Bodin seems to agree with Aristotle that slavery is natural as he says, "I agree that servitude is natural where the strong, brutal, rich and ignorant obey the wise, prudent and humble, poor though they may be. But no one would deny that to subject wise men to fools, the well-informed to the ignorant, saints to the sinners is against nature".¹⁹ But even after his agreement with Aristotle, Bodin has condemned slavery in unequivocal terms.

10. *Bodin's Theory of Revolution* : The last important phase in Bodin's political philosophy is his ideas on the occurrence of revolutions. His ideas on revolutions resemble very closely with those of Aristotle, and he borrowed from the latter to some extent. But unlike Aristotle he believes that transformations of states are inevitable, and that men should direct their attention to the regulation of the manner of change and not to the prevention of change itself. States according to Bodin are like human beings. They grow, mature, decline and decay. They are subject to endless changes. These changes are most frequently involuntary, though they may be voluntary, as when one sovereign prince willingly submits to the sovereignty of an overlord. The changes in the states may be either so slow and gradual that one hardly notices it, a kind of growing old, or it may happen all at once, as a consequence of a sudden violent blow. It is the last type of change, of course, in which Bodin is most interested.

Bodin mentions two forms of revolutions, viz. (a) *alterio*, and (b) *conversio*. When a change is effected in the system of laws,

18. M. J. Toolery, *Bodin's Six books of the Commonwealth*, p. 14

19. *Ibid.*, p. 16.

religion, social and political institutions, the revolution is designated as 'alterio'. But when a change is effected in the location of sovereignty, i.e., monarchy is changed into aristocracy or aristocracy into democracy, the revolution will be termed as 'conversio', though everything else, including laws and religion, remain untouched. The various causes of revolutions, to Bodin, are divine, natural and human. In the divine causes, Bodin discusses the will of God. Things, in his view, happen as a result of direct judgment of God, without any intermediate operations, or by ordinary causality; or by man's own will, which is said to be free. In the natural causes Bodin discusses the influence of heavenly bodies like the position of stars and also the influence of climate. By climate Bodin meant a variety of factors, water, soil, altitude, laws, customs, and the forms of states. Among the human causes he discusses such questions as the appointment of magistrates, differences of religious faith, unlimited freedom of discussion, the right to bear arms, great inequalities in the possession of wealth, and frequent and too drastic changes in the system of laws.

Bodin, like Aristotle, suggests many remedies for the prevention of revolution. The statesman is like the physician since states vary among themselves just as much as individual men do; it is folly to try to apply the same rules identically in all illness. There is doubtless a certain regular order in the way in which a disease attacks the human body, but the physician who understands the science of pathology may be able to slow down the course of the disease or even to interrupt it altogether. Just so, the wise statesman, understanding the pathology of states, and, therefore, foreseeing the maladies which overtake them, can prevent their ruin by good laws and other convenient remedies. The most secure foundation for a state consists in having its forms adjusted to the nature and disposition of its people, its laws and ordinances suitable to the places, the men and the times. The form of a state, in a word, must vary with its situation, just as the character of a building is adjusted by a good architect to the nature of the soil on which it is to rest.

Among the many remedies that he suggests for the prevention of revolutions, he discusses such things as the removal of poverty and inequalities of opportunity. The appointment of right type of magistrates, religious toleration, limited and qualified freedom for discussion, guarding against radical changes in the existing system of laws, are things which very much attracted his attention. He admits that remedies for the prevention of revolutions cannot as a rule be

generalised. Different remedies for different states under different situations may be recommended. "Like Aristotle before him and like Montesquieu after him, Bodin was actually aware that complete abstract reasoning in politics is sterile. Like them he felt the need for empirical study of all the multiplicity and variety in human nature ; like them he recognised the need of taking these differences into account in the actual structure of the State ; what is sauce for the goose may not be sauce for the gander".²⁰

11. *Place of Bodin in the history of Political Thought* : Bodin occupies a very prominent place in the history of European political thought. He "brought back political theory to the form and method from which it had gone far astray since Aristotle, and gave to it again the externals, at least, of a science".²¹ He gave to political thought the historical and comparative method. Although, much before him, steps had been taken by Machiavelli in that direction, but the historical method of Machiavelli was much more historical in appearance than in reality. He has been rightly described as the father of the historical school of jurisprudence.

According to Dr. Murray, his doctrine of sovereignty "not only marks the beginning of, but provides the indispensable foundation for the political philosophies that have grown out of modern nationalism". The theory of sovereignty, of which he happens to be the author and advocate, constitutes a very vital contribution to political thought. It is round this problem that the entire political thought of the 17th, 18th and 19th centuries centred. Unlike the previous thinkers of the Divine Right School, Bodin gave a human and not divine origin to sovereignty. His sovereignty originated from human nature and human needs. The other contributions of Bodin for which he can claim a certain amount of originality are his views on the distinction between State and Government, and the influence of climate and topography on national character and political life. In this respect, he was really more modern than many moderns.

20. W. T. Jones, *Masters of Political Thought*, Vol. II, p. 81.

21. W. A. Dunning, *Political Theories : Ancient and Medieval*, p. 171.

CHAPTER 48
HUGO GROTIUS
(1583-1645 A.D).

“Taking the national sovereign state for granted, Grotius tried to bind Leviathan and frame rules of war between great states. He attributed to them a formal equality among themselves, so long as they conformed to certain standards of civilization which qualified them for membership of a comity of nations”.

—John Bowle

1. *Life and Times of Hugo Grotius* : Hugo Grotius was born at Delft in Holland in 1583. He was the son of the Burgomaster of Leyden, an eminent jurist, and who was also the curator of the university. He was an intellectual prodigy, and at the age of sixteen he became a Doctor of Law. Next year he began his practice at the Bar and published a commentary on the works of Martianus Capella. In 1603, he was appointed Historiographer to the Prince of Holland. In 1613, he was made Pensionary of Rotterdam. He was sent to England to negotiate between Dutch and English merchants over the East Indian trade. After the failure of Oldenbarneveltdt's attempt to overthrow the House of Orange, he was arrested as a leader of the Republican party and condemned to

lifelong imprisonment. In 1619, he was confined to the Castle of Louvenstein, but by the contrivance of his wife, Mary of Regelsburg, he escaped from captivity in the following manner, disguised as a mixed cargo of washing and Arminian theology. "This admirable woman 'having observed that the Guards, being weary of searching a large trunk full of books and linen to be washed at Gorcum, ... advised his husband to put himself into it, having made some holes with a wimble in the place where the forepart of his head was, that he might not be stifled. He followed her advice and was in that manner carried to a friend of his at Gorcum.... That good woman pretended all the while that her husband was very sick, to give him time to make his escape into a foreign country, but when she thought he was safe, she told the Guards, laughing at them, 'that the birds were flown'.... At first there was a design to prosecute her, but by a majority of votes she was released and praised by everybody ... Such a wife deserved not only to have a statue to her in the commonwealth of learning, but also to be canonized. Grotius escaped into France, where he remained for eleven years and where he composed the '*De Jure Belli et Pacis*'. After a short return to Holland, he moved to Hamberg, and in 1639 accepted a post at the Court of Queen Christine of Sweden, who made him her Ambassador to the French Court. He died at Rostock in 1645"

The philosophy and writings of Grotius were very much influenced by the circumstances of his age. It was a period which can rightly be characterized by anarchy and chaos. From the activities of European nations it appeared as if they were still living in a state of war of all against all. Though the Reformation had done much to put an end to the long continued differences, yet there were religious wars, wars between Catholics and Protestants, wars between the system of the Jesuits on the one hand and of the Calvinists and Lutheran theologians on the other. In Germany there broke out the Thirty Years War in 1618 on a religious quarrel. It soon led to the dynastic controversies of the leading princes. In France it led to the fateful rivalry of Hapsburg and Bourbon. He was greatly shocked to see the nations of Europe going to war at the slightest provocation or at no provocation at all. As he writes in his, '*Law of Peace and War*' :

"I saw prevailing throughout the Christian world a license in making war, recourse being had to arms for slight reasons or for no

1. The above account of the life of Grotius has been taken from *Western Political Thought* by John Bowle, 3rd edition (London), 1961.

from the medieval thinker like St. Thomas Aquinas. He did not indulge in his metaphysics or logic. But he was "successful in formulating a moral and political doctrine that satisfied the demands of enlightened minds who had grown a great hatred against the theological system". The point of view of Suarez that the law of nature was a command of God and hence it was most rigid, was ignored by Grotius. He looked upon it as a product of right reason rather than of any will.

Starting with a truly Aristotelian dictum that man by nature is a social animal, Grotius postulates law as a necessary condition of social existence. Even a band of robbers and dacoits needs some regulatory measures. But in higher type of societies, the need for law and justice is much greater. Law and Society, consequently, are inseparable companions and go hand in hand with each other. "Man is a reasoning animal and human society is the product of reason. Hence it follows that law, which is an essential and natural corollary of society, is also an outgrowth of reason. Wherever there is social life there is reason, and likewise a natural law". Through this reasoning process, Grotius reached the conclusion that there was a "body of universal law—the universal law of nature or a right reason which is uniformly applicable to all peoples, and is as authoritative and absolute as Supreme Reason itself". Accordingly, Grotius gave the following definition of natural law :

"The law of nature is a dictate of right reason, which points out that an act, according as it is or is not in conformity with rational nature, has in it a quality of moral baseness or moral necessity; and that, in consequence, such an act is either forbidden or rejoined by the author of nature, GOD".

Acts fallen within this category may be right or wrong, and this Grotius distinguished them from those acts which become right or wrong because they are expressly commanded or forbidden by human or divine authority. Since the law of nature exists independent of any will, it, therefore, cannot be changed by any authority whatsoever—divine or human. As Grotius himself writes in his 'De Jure Belli et Pacis', "The law of nature, again, is unchangeable—even in the sense that it cannot be changed by God. Measureless as is the power of God, nevertheless it can be said that there are certain things over which that power does not extend. . . . Just as even God, then, cannot cause that two times two should not make four, so He cannot cause that which is intrinsically evil be not evil. Furthermore some things belong to the law of nature not through simple relation

but as a result of a particular combination of circumstances. Thus the use of things in common was in accordance with the law of nature so long as ownership by individuals was not introduced; and the right to use force in obtaining one's own existed before laws were promulgated".

It is clear from this that Grotius "thought of mankind as being subject to a body of eternal principles which are part of the very nature of God himself and which are, therefore, inherent in all things terrestrial as well as in all things celestial. This law of nature must apply to all peoples and govern the mutual relations"⁴ In this concept of the law of nature as the product of right reason and conscience, lies the clue to an infallible moral guide, a possession of man by virtue of his humanity, and which is not the peculiar privilege of any particular race or people. This rational nature of men would guide them even if there were no God. "Thus he prepares and constructs a platform on which there may stand the pagans and atheists". His purpose, thus, was to establish a new science and to lay the foundation of rights and justice which is to be discovered in the essential, universal and unchangeable quality of human nature.

In the light of this conception Grotius insisted that the law of nature did not need any Godly or priestly interpretation but could be fully known by all rational beings. According to Grotius, the principles of this law are so patent that no one can deny them without doing violence to his own nature. "If any one has a doubt as to its dictates one has only to refer to the philosophers, the historians, even the poets of all ages. Has it not been the unanimous opinion of all thinkers that murder, theft and breach of contract are wrong—inherently wrong?" Critics may point out the defect of Grotius's conception of natural law that it is all very well in theory, but that it is useless in practice, on the ground that law unsupported by force is destitute of all effect. Men refrain from murdering and stealing because they know that they will be punished for murdering and stealing. But how can nations be kept from defying the dictates of moral or natural law when they are aware that there is no higher power which will punish them for breaking this law? Grotius has met this objection with conviction and optimism. He believes that normally men obey, to a greater or lesser extent, the dictates of their conscience. They know that justice or obedience to natural law brings ease of mind and injustice brings remorse.

4. C. C. Maxey, *op. cit.*, p. 179.

Grotius is not prepared to accept that living beings are motivated entirely by self-interest. He believes that even among the lower animals we find that the principle of self-interest is tempered by regard for their offspring and for others of their species. "The same thing is to be said of infants in whom previous to all teaching, there is manifested a certain disposition to do good to others". According to Grotius this instinct is still stronger among grown men and women, for man possesses a marked social feeling, a desire to live in company with his fellowmen, and he realizes the social life is possible only when there is general obedience to natural law.

"He believes that there is such a thing as public conscience and argues that the mere formulation and exposition of a set of rules for international morality will go far towards forcing nations to keep within the bounds of these rules".⁵ Grotius is fully convinced that "even the principle of self-interest will eventually force all states to abide by the dictates of natural law. Honesty is the best policy. Even in private life a firm noted for its shady practices, though it keeps within the letter of the law, gradually acquires a bad reputation and loses customers. In like manner nations in the long run need the approbation of their neighbours if they are to survive". "A people which violates the law of nature . . . breaks down the bulwark of its own tranquillity for future time" . . . "Alliances are sought even by the most powerful peoples and kings ; the force of such alliances is entirely destroyed by those who confine law within the boundaries of a state", that is, by those who do not abide by the dictates of natural law.

(b) *His conception of the Law of Nations*—Through his conception of the law of nature, Grotius has determined in theory the intercourse of independent states. He now proceeds to examine the actual intercourse of states and the principles which appear to underlie this intercourse. This leads him to revive and reinterpret another medieval doctrine, that of *Jus Gentium* or the law of nations. Originally the term *Jus Gentium* was applied in Roman Law to a body of law consisting of those rules which were discovered to be common to the juristic practice of many different peoples. This system of law was developed at a time when Rome ceased to be a city-state and became a world empire. For the intercourse of Roman subjects who were not Roman citizens it was found impossible to apply the laws of any one tribe or people, and the Roman jurists

sought to give justice to all by applying those rules which seemed to be common to all or to most of the peoples with whom they came into contact.

In the 16th century the old notion of *Jus Gentium* was radically changed as a result of the influence of Grotius and his writings. With him it came to be regarded as a set of customs and traditions, regulating the relations between nations. To determine a course of conduct for the proper regulation of the relations had become a dire necessity of the day. The seventeenth century in which Grotius was living was a fertile field for disorder. To quote Prof. G. H. Sabine, "The relations between independent political powers had become ever more chaotic with the breakdown of such feeble restraints as the medieval church. The rise of the absolute monarchies and the more or less frank acceptance of a Machiavellian conception of the relations between them made force the arbiter in the dealings of states with states. To this must be added the effects of the religious wars which followed the Reformation, bringing to international relations the intrinsic bitterness of religious hatred and affording the colour of good conscience to the most barefaced schemes of dynastic aggrandizement. And behind overt political ambitions lay the economic baits which led the western European nations along the road of expansion, colonization, commercial aggrandizement, and the exploitation of newly discovered territory".⁶

For the above mentioned reasons Grotius had come to believe that the welfare of mankind required a comprehensive and systematic treatment of the rules governing the mutual relations among states. As Grotius himself writes in the 'Prolegomena' of his work 'De Jure Belli et Pacis', "Such a work is all the more necessary because in our day as in former times, there is no lack of men who view this branch of law with contempt as having no reality outside of any empty name".⁷ War, thus, was the pre-eminent feature of this intercourse, and hence Grotius determined the practice of war by his *Jus Gentium*. Much before Grotius, Bodin in France had already talked about it; but he did not develop it in any form. It was at the hands of Grotius that this branch of law had the privilege to be developed in a very advanced form. As Prof. W. A. Dunning has observed, "Bodin sketched the outlines of the new science to which Grotius was to give an independent character".

6. G. H. Sabine, *A History of Political Theory*, p. 359.

7. Quoted from *Prolegomena* by G. H. Sabine, p. 359.

In his classification of law, the *Jus Gentium* falls under the category of human and volitional law. "Its content is what has been accepted as obligatory by the consent of all or of many nations". Civil Law is obeyed for self-interest alone. But the law of nations is free from selfish interest and hence Grotius places the ultimate source of the obligation to observe the law of nations. It represented to Grotius a body of rights for the welfare of all or many nations. He regarded it to be "a code of precepts distinct from the *Jus Naturale* and of lower authority, yet immensely valuable. It provided a body of international custom which in a most serviceable way could supplement the universal morality of the Law of Nature".⁸ The Law of nature, in fact, is the foundation on which the intercourse of nations should be based. On the other hand, the law of nations is the foundation upon which the intercourse of nations is actually based.

His famous work 'Law of War and Peace' is in reality a study of the precedents which do govern and have governed the intercourse of nations and a criticism from the point of view of the law of nature. Grotius had a twofold object in writing his book. One was the codification of existing customs. The other was an attempt to rectify the injustices and inequalities of some of these customs from the standpoint of natural or moral law. On these points Grotius feels that the light of reason will be sufficiently powerful to cause men to alter the old unjust customs.⁹

His 'Law of War and Peace' contains many exhaustive details of the system of international law which he so elaborately worked out. The following are some of the examples of the questions which he has discussed at length. He discusses what War is and What Right is. Whether it is ever lawful to make War? Whether war is justified against an aggressor who breaks the rules of international law, and undermines the foundations of civilized life? How just war can be waged with care and integrity? Whether it is ever lawful to make war? He makes a distinction between 'a solemn war which is also called just' and a war 'not solemn'. What are the causes of war and the injury received by the state? What are the various kinds of injury which justify self-defence? Whether war can be undertaken to weaken a neighbouring power thought to harbour aggressive intentions, is lawful? He discusses the question of validity of premises,

8. F. J. C. Hearnshaw, ed., *The Social and Political Ideas of Some Great Thinkers of the Sixteenth and Seventeenth Centuries*, p. 150.

9. W. M. McGovern, *op. cit.*, p. 47.

particularly when Ambassadors exceed their instructions. He defines true contract, and the obligations of an oath, and how far treaties are obligatory on the successors of princes, and how far contracts with the heathen are binding. The status of Ambassadors and their right of access are fully discussed. Such interesting questions, as the degree and proportions of punishment, duelling and arbitration, justification of those who take up arms by another's command for a righteous cause, the responsibility of subjects for debts incurred by their prince, the procedure of declaring war, the right of killing enemies and exercising other violence upon their persons in a solemn war, slaying of women and children, the right of prisoners, and the justification of war for winning peace, have been very carefully examined.

Grotius, thus, defined the law of nations, worked out exhaustively its details and laid the foundation for international law. The fame that he achieved as an international jurist is permanent and the contribution that he made to the development of this branch of law is immeasurable. In the words of Prof. G. H. Sabine, "Grotius's contribution to the special subject of international law is beyond the limits of a history of a political theory".¹⁰ To quote the same writer again, "Grotius's importance in the history of jurisprudence rests not upon a theory of the state or upon anything that he had to say about constitutional law, but upon his conception of a law regulating the relations between sovereign states".¹¹

(c) *Grotius's Theory of the State*—Nowhere Grotius develops a theory of the state. His political theorizing was narrowly limited in scope. With the art of government, questions of organisations and administration of policy, he had nothing to do. In a very rough fashion Grotius tries to explain the origin of the state. Like Aristotle, he recognizes that every man has a natural impulse to social and political life. Society, therefore, comes into existence as a result of the gregarious instinct of man. The origin of the state is also attributed to the deliberate contract based on considerations of selfish interest. His conception of contract becomes all the more clear when he says, "Society is due to natural instinct, the state is founded in contract". The very idea of contract brings him into the line of social contract writers. It will be correct to call him the leading advocate and the original propounder of the social contract. It is

10. G. H. Sabine, *op. cit.* p. 359.

11. *Ibid.*, p. 359.

to be noted that he does not explicitly develop the theory of social contract. By contract he means a social and not a governmental contract. He holds "that originally men, not by the command of God, but of their own accord, after learning by experience that isolated families could not secure themselves against violence, united in civil society out of which act sprang governmental power".

Unlike the Greek thinkers, Grotius distinguishes between state and society. The state, according to him, represents a small section of the greater society, i.e., mankind organized for a specific purpose. The state is more than society functionally and is not, like society, natural in growth. In its formation are involved the elements of utility and mutual consent.

(d) *His doctrine of sovereignty*—Grotius's conception of sovereignty resembles very much with the conceptions of sovereignty of Bodin and Hobbes. Sovereignty, according to him, is essentially human in origin. He does not recognize any Divine Right of Kings, nor does he believe in the inalienable sovereignty of people. He defines sovereignty as 'Supreme political power'. By political power he means moral faculty of governing a state, under which are included functions of general and of special character, of public or primarily of private interest, and functions performed either by the sovereign immediately or by persons commissioned by him". Grotius does not make any distinction between the various forms of Government. According to him it is just a difference of dignity—each is like the ultimate and irresponsible wielder of governmental authority. Supreme power, says Grotius, though in itself a unit, may be divided in possessions. That is why he sometimes treats the feudal vassals in the category of sovereigns. But there is a difference of dignity.

Since the sovereignty of the monarch is inalienable the supreme power is subject to no rights and is not revocable by human will. Sovereignty, to Grotius, is as definitely a right of the state as any other private right. But since the state is a part of the greater society, i.e., mankind organised for a specific purpose, it has definite duties also for the fulfilment of that purpose. "The greatest positive contribution of Grotius to political science was, of course, his formulation of a scheme of rights and duties applicable to the relations of nation and nation". Christianity had failed to regulate public relations in Europe and a new and a non-religious ground was needed for international rights and duties which Grotius found in his conceptions of the law of nature and the law of nations.

Grotius, like Bodin, recognises certain limitations on the sovereignty of the ruler. Sovereignty, he says at one place, "is merely a limited right of property held under Natural Law". The limitations, of which he speaks, do not proceed from any other human will. The sovereign must obey Natural Law, Divine Law, Constitutional Law and the Law of Nations but no Civil Law or human will is binding on him. The purpose that Grotius wanted to serve by imposing these limitations on the authority of the sovereign was to prevent him from the reckless exercise of sovereign power as to disturb peaceful living between states and to secure the good of the governed. He is, thus, both an advocate of absolute as well as limited sovereignty. Prof. Dunning has rightly remarked, "While on one side the work of Grotius promoted the cause of absolute monarchy, on the other side, it was a source of much aid and comfort to the advocates of limited government."¹²

Regarding the people's right of resistance, Grotius says that by nature everyone has a right to resistance. But when civil society has been instituted for the preservation of public tranquillity, his right becomes subject to the prescriptions of the sovereign. According to Grotius, the peoples' right of resistance against the sovereign is null. While instituting civil society people deliberately gave their rights to the holder of supreme authority. They transferred power not by the command of God but because they could not secure themselves against violence. In this respect the influence of Bodin and Suarez seems to be quite clear on him.

Each sovereign state, according to Grotius, possesses an equal legal and diplomatic status. Every sovereign state, in order to enjoy this equality of status, must possess the following essentials of sovereignty : (1) a civilization similar to that of European Christian powers, (2) a fixed territory over which its sovereignty is complete, (3) an organised government capable of concluding and honouring treaties, and (4) stability. The states meeting these qualifications mentioned above constitute the family of nations.

4. *The importance of Grotius* : The political philosophy of Hugo Grotius is a representative of all the ancient, medieval and modern times. From the ancient, he borrowed the principles of human nature on which he explained his origin of society and state. From the medieval age, he took up the notion of the law of nature and gave it a new interpretation in his own way. His ideas on social

12. W. A. Dunning, *Political Theories : Ancient and Medieval*, p. 190.

contract and the doctrine of sovereignty are essentially modern. According to Professor Maxey, "By predicating international law upon a hypothetical community of nations, he not only gave a tremendous impetus to juridical thought which treats the usages of international life as though they were the law of community of nations, but also traced out the only path by which a world of independent sovereign states may move in the direction of order and integration. Grotius was but one of many thinkers whose minds were marching in this direction, and scientifically his work deserves no more acclaim than that of Vittoria, Suarez, Ayala, Gentilis and others who both preceded and followed him; but his writings did more to crystallize attention on the problems of international jurisprudence than those of any other man, and so he has come to be called the 'Father of International Law' ".

CHAPTER 39
THOMAS HOBBS
(1588-1679)

"His principles are pernicious both to piety and policy, and destructive to all relations of mankind, between prince and subject, father and child, master and servant, husband and wife ; and they, who maintain them obstinately, are fitter to live in hollow trees among wild beasts, than in any Christian or political society. So God bless us".

—*Bishop Bramhall on Hobbes*
(E.W., Vol. 5, p. 25)

1. *Life and Times of Hobbes* : Thomas Hobbes was born in 1588 at Malmesbury in England. He was the second son of the Reformed parson of Westport, in Wiltshire, whose chief reputation was for 'ignorance and clownery' and who subsequently disappeared under a cloud.¹ His mother fell in labour of him in fright of the invasion of the Spaniards. "In the year of the Spanish Armada", he

1. George Catlin, *A History of the Political Philosophers* (1950), p. 227.

tells us in his own autobiography, "his mother gave birth to twins--himself and fear. It is questionable whether this is not better rhetoric than it is historical truth. Certainly Hobbes's conduct in life did not show him to be as fearsome as he would have us believe him to be. Although it is true that he fled to England when the clouds of civil war began to gather, this was rather the act of the prudent man than of the coward, for the reputation which his early writings had made for him was scarcely calculated to endear him to the Parliamentarians".² His hair was black and his school fellows were wont to call him 'crow'.

After the completion of his early education at Malmesbury, Hobbes was sent to the University of Oxford in 1603, where he took great delight to go to the book binder's shops and lie 'gapping on mappes'. Hobbes found the university teaching barren and profitless. In his 'Leviathan' he condemned universities for what he called their "frequency of insignificant speech". At any rate he acquired the reputation of being an indifferent scholar and took five years to graduate instead of the customary four. It is said that he would follow none but his own methods and scorned the opinions of his tutors.³ At the age of twenty in 1608, after his graduation from Oxford, he became a tutor in the family of William Cavendish, Baron Hardwick and later Earl of Devonshire. His lifelong connexion with this powerful and distinguished family was certainly one of the greatest influences on his subsequent career; it is difficult indeed not to conclude that without the stimulus and the opportunities which this connexion gave him Hobbes would have died another 'mute, inglorious Milton'.⁴ It was through this family that he was introduced to such prominent and distinguished Englishmen as Ben Jonson, Bacon and Clarendon. By his association with these great figures of their time, he first became acquainted with the philosophical and scientific thought of the Continent, and so learned that the medieval physics still taught at Oxford was outmoded and that a whole new world of explanation lay open before him.⁵ In 1610 it became his duty to accompany the son and heir of the family on a grand tour of the European Continent. During the year of travel which followed Hobbes learned French and Italian and came into

2. W. T. Jones, *Masters of Political Thought*, Vol. II, p. 85.

3. C. C. Maxey, *op. cit.*, *Political Philosophies*, p. 214.

4. W. T. Jones, *op. cit.*, p. 86.

5. *Ibid.*, p. 86.

contact with a number of leading Continental scholars. In 1631, he went abroad a second time as tutor-companion to the son of the young Cavendish with whom he had already toured in 1610. This turned out to be a very long tour, and Hobbes was abroad much of the time during the next six years. During this tour he had the opportunity to renew his old contacts with Continental scholars and make new ones, notably with Galileo and Mersenne.

In 1637 when England was on the verge of Civil War, he wrote a little treatise in English, 'De Cive' defending the King's prerogative. Royalist as he was, when he found the Long Parliament exercising its supremacy by sending Laud and Stafford to the prison house, he apprehended the same fate. Without waiting for any Parliamentary orders, he immediately left England and went to France. Here he led a very irregular life, going here and there, and mostly living as guest of his friends and scholarly associates. For about two years he worked as a tutor to the exiled Prince of Wales, who later on was to wear the Crown as Charles II. Here he produced his famous book 'Leviathan'. His atheistical attitude towards religion in 'Leviathan' aroused the indignation of Stuart entourage and its appearance was so much resented by the exiled Englishmen and the French Court, that he was obliged to flee once more. He again came back to England, and threw himself on the mercy of the Parliamentary regime. Cromwell, the Protector of England, who was already too much a dictator to be displeased by Hobbes's absolutism, allowed him quietly to take up his residence in England. When Hobbes died at the age of ninety-one in 1679, he left a great, if not altogether enviable reputation and a tremendous body of literary works. His works are a great representative of the temper of his age. Before writing anything about the works that Hobbes had produced, it is very essential to know about the times and conditions which exercised their influence on so fine and delicate a mind as that of Hobbes.

It is "surely not far fetched to suppose that his intimacy with, and friendship for, the Cavendishers encouraged the aristocratic, anti-democratic tenor of his thought".⁶ Galileo's theory of motion exercised a tremendous influence on his mind. "He conceived of Galileo's principle of mathematical explanation as serving not only to describe and to predict the behaviour of gross bodies on this planet, but of all phenomena everywhere from the infinite reaches of the starry heavens to the most minute and subtle movements of the

6. W. T. Jones, *op. cit.*, p. 86.

human mind".⁷ It is through this study of the movements of the human brain that Hobbes was led to study the nature of men on which he founded the entire theory of the state and the magnificent edifice of absolute sovereignty. As political scientist, he maintained that what he wrote he 'demonstrated'. The influence of Bacon, however, must not be underrated. Dogma about human 'moral characteristics', in the style of the Ophrastus and Bacon and Burton, make a basis for the hypotheses of Hobbes's science. In so far as Hobbes falls into the line of the English tradition, in philosophy, he owes this to the influence of Bacon.⁸ Elsewhere, Hobbes produces the important observation that political science consists in the certain rules, as doth Arithmetique and Geometry not (as Tennis-play) in practice only".

Again, the Civil War of England has much to do with the political thinking of Hobbes. His pessimistic consideration of human nature which Hobbes held in theory only so far were confirmed by the practice of the time. The violence, the brutality and the appalling waste of life and property which the civil war had brought in its train had destroyed all consideration of right and wrong, just and unjust. Moral consideration and values were thrown to the winds. "Hobbes's own observation of human nature in himself, as he frankly admits, but also surely, as he saw it revealed in those dreadful years of revolutionary disturbance—led him to the conclusion that man is an animal who is moved by two, and only two considerations, fear and self-interest."⁹ These considerations become the governing force in Hobbessian men to devise the bonds of the social contract. Hobbes was thus as much a creature of his time as Machiavelli was. His theory of individualism and condemnation of the Church directly proceed from the political thought of the Reformation which continued still to have its lingering effects. The problem that Hobbes had to face was to maintain the rights and privileges of the individual by giving absolute and unquestionable power to the authority of the state.

2. *The Work of Hobbes*—Hobbes was a prolific writer. He left a great body of literary works ranging all the way from an early translation of Thucydides, through a vast series of treatises on circle-squaring to a poetical translation of the *Iliad* and the *Odyssey*.

7. *Ibid.*, p. 88.

8. George Catlin, *op. cit.*, p. 231.

9. W. T. Jones, *op. cit.*, p. 89.

His first major work on politics appeared in 1642. It was a small treatise in Latin entitled 'De Cive'. This work was circulated in a very limited way. But it was so enthusiastically praised by the intellectuals who read it that Hobbes felt assured of the intrinsic soundness of his grand project. Another very significant work of Hobbes was 'De Corpore Politico'. The first part of this book describes the various elements in human nature. Fear is the basis of subjection of one to another. In the second part of this book, Hobbes describes the state of nature which is the state of war. The state of nature passes into political society on the basis of agreement of will, either of one, few or many individuals. The government which is thus constituted must have the power of coercion. His great work 'Leviathan' was published in 1651, which brought him immortality as a political thinker. It did not take long for the world to discover that an enduring masterpiece of political thought had been wrought.

According to Professor Ebenstein, "The Leviathan is not an apology for the Stuart monarchy, nor a grammar of despotic government but the first general theory of politics in the English Language". According to Professor Maxey, "In the Leviathan Hobbes gave more extended consideration to theological and ecclesiastical problems, bearing on politics and wrote with a provocative vigour which was bound to send the hounds baying on his trail. It was a book that simply had to be read and that, being read either captivated the reader with its trenchant style and remorseless logic or shocked him to fury by its cool dissection of human frailties and its impious liberties with traditional verities".¹⁰ To Professor Phyllis Doyle, the Leviathan "was a belated remark in the Reformation controversy between national state and multiple church. It was the last great defence of the nation-state".¹¹ "Because of his atheistic attitude, pessimistic description of human nature and exaltation of the power of the monarch, a non-stop rain of abusive verbal brickbats was showered upon him. He was dubbed as blasphemous and described as a scoundrel who had imputed a systematic wickedness to mankind".¹²

Soon after the publication of 'Leviathan' his critics were in full cry after him sounding the note of horror at his materialism and

10. C. C. Maxey, *op. cit.*, p. 219.

11. Phyllis Doyle, *History of Political Thought*, p. 153.

12. J. Bowle, *Hobbes and His Critics*, p. 79.

indignation at his despotism that has rung down the years.¹³ Clarendon protested at his 'lewd principles'. Whitehall found Leviathan "as full of damnable opinions as a toad is of poison". Bramhall thought it 'right dog's play', and believed that it would "put all to fire and flame". Prof. Ross was convinced that it would reduce all to "the conditions of those who live under the Turk, the Muscovite, Prester John, and the Mogul". Mr. Cowely indignantly asked "What else could be expected of the Monster of Malmesbury?" But in spite of all those damning and devastating criticisms, the work of Hobbes, in many ways, has enriched and fertilized political thought.

3. *The Political Philosophy of Hobbes* : The Leviathan of Hobbes, which Professor F. W. Coker thinks, is the first comprehensive work in political philosophy from the hands of an Englishman, "placed him at once in the front rank of political thinkers and his theory became from the moment of its appearance the centre of animated controversy and enormous influence throughout Western Europe". He is one of those political thinkers of the English race, whose name will endure as long as men trouble their minds about matters political. In a scientific and rational manner, he tried to weave his arguments into a web. Some of the threads used by him in this process may be discussed as below :

(a) *Hobbes's conception of Human Nature*—The uniqueness of Hobbes as a political thinker lies in providing a psychological foundation to his political reasoning. This psychological approach to the study of political science is essentially an element of his modernity. Hobbes was, in fact, the first of the great modern philosophers who attempted to bring political theory into intimate relation with a thoroughly modern system of thought, and he strove to make his system broad enough to account, on scientific principles, for all the facts of nature, including human behaviour both in its individual and social aspects.¹⁴ No study of political science can be regarded as complete in itself unless it is to be carried in relation to human psychology. For Hobbes, that which controls human life is not an end but a cause, the psychological mechanism of the human animal. It is on this psychological mechanism of the human animal that Hobbes has developed his theory of the state. It is in this respect, that he differs from all his predecessors. Political theory, in his

13. C. L. Wayper, *Political Thought*, p. 47.

14. G. H. Sabine, *A History of Political Theory*, p. 388.

case, is definitely formed upon scientific principles. The study of human nature provides him a clue on which his fundamental postulates in the realm of politics are based. Here he serves as a great inspiration for the revival of the scientific attitude towards politics.

Wisdom, according to Hobbes, is not acquired by reading of books, but of men. He, therefore, proceeds to make the study of men. He starts with Galileo's concept of the universe as a machine, made up of particles, which move according to a mechanical law. This movement, or motion as he calls it, is the very principle of the universe. According to Hobbes, man is a part of the universe. He is also a machine, and is composed of the same moving particles. Hobbes shows a great interest to find the law according to which these particles move in man and specially in relation with his fellows. Sense in man was itself but motion. "The cause of sense in the External Body, or object, which presseth the organ proper to each sense, either immediately, as in the Test and Touch ; or mediately as in Seeing, Hearing and Smelling ; which pressure, by the mediation of Nerves, and other strings, and membranes of the body, continued inwards to the Brain, and Heart, causeth there a resistance, or counter pressure, or endeavour of the heart, to deliver itself ; which endeavour because Outward, seemeth to be some matter without. And this seeming, or fancy, is that which man calls Sense. All which qualities, called sensible, are in the object that causeth them, but so many several motions of the matter, by which it presseth our organs diversely. Neither in us that are pressed, are they anything else but diverse motions (for motion, produceth nothing but motion)".¹⁵

Everything in man is derived from his senses. His original fancy is caused by the pressure i.e., by the motion of external things upon our eyes, ears and other organs. From sense, man acquires memory and imagination and prudence. They are his receptive powers. They in their turn generate further movement in his brain which are called as his active powers—these are emotions and passions. Man, by the very principle of motion which is operative in the universe, is compelled to desire and to will. What man desires, he calls Good, and pleasure is the movement in his mind that accompanies it. What he dislikes, he calls Evil and pain is the movement. The standard of Good and Evil, however, cannot be constant as man is changing. Man incessantly strives to gain those things which attract him and avoid those things towards which he

15. *Leviathan*, Part I, Chapter 1 (1-2).

feels repulsion. Happiness or 'felicity' is continual success in getting those things to which he is attracted. There is nothing inherently good or bad, morally speaking, about these attractions and repulsions as there is nothing good or bad about the motions of physical bodies. Morality and moral judgments, to Hobbes, are the products of civilization.

Since happiness for man consists in continued success in obtaining those things which a man from time to time desires, this ceaseless effort of man will not allow him to have any rest and respite. Life is thus "a perpetual and restless desire of power after power that ceaseth only in death". Since man cannot assure the power and means to live well without the acquisition of more and more, it makes man essentially self-centred. Every single man is an absolutely solitary individual. Since knowledge comes from the senses, and different senses cannot see the same world, a man and his world must be one and different from the world of other man. Separate individuals have separate pleasures, truths, goods and they belong to no order, moral or politic. Although solitary and self-centred, man has the possibility of breaking down his solitude because he has the power of speech. Circumstances place him among fellowmen whose very existence makes it difficult for him to satisfy his desire. "For many will want what he wants and will, therefore, be his deadly enemies. Moreover, men seek to outdo one another. This urge to excel necessitates a perpetual contention for honour, riches and authority. Contrasting men with bees and ants, Hobbes says, "Men are continually in competition for honour and dignity, which these creatures are not ; consequently amongst men there ariseth, on that ground, envy and hatred and finally war".

But there is no doubt, at least in Hobbes's view, that most of man's native desires and inclinations tend to result in struggle with his fellows. For the fact is that though "all men agree on this, that peace is good",¹⁶ man's basic and fundamental selfishness causes in him a desire for power which conflicts with his desire for peace and security.¹⁷ It is important to see that this "perpetual and restless desire for power is not confined merely to the ambitious few, but exists necessarily in every one, even in those who desire only to hold to what they already have. Hence everything else which might, conceivably, be desired for the pleasure it brought—knowledge, art,

16. *Ibid.*, Part I, Chapter 15 (146).

17. *Ibid.*, Part I, Chapter 11 (185-186).

leisure, ease, everything is subordinated to the requirement of power and judged solely on the grounds of its ability to make its possessor powerful.¹⁸ "If such be the nature of man what must his life be where these natural instincts, tendencies and inclinations are not held in check, but are allowed free and unrestricted play?"¹⁹ The Hobbesian reply is that without a common power to keep them all in awe, they will always live in a state of war of all against all. Such then is the state of nature in which men live.

(b) *The State of Nature* : Although in the state of nature man is both free and equal, but Hobbes finds this state of nature to be far from agreeable. Both Aristotle and Bodin had claimed that man was essentially a social animal. This Hobbes denies. To most men and not the least to those of the 17th century, the state of nature was a state of innocence and, above all, a state of peace. To Hobbes, on the contrary, it is a state of war; a war of all against all, "a war in which each was as a revenging beast to his fellows; *homo homini lupus* (man is wolf to his fellows). It was, therefore, a state in which nothing could be unjust; in which the very notions of right and wrong, justice and injustice could have no place in which as must always be the case in a state of nature is like the beasts in the jungle. Each takes what he can with impunity, robbing and murdering the weaker and fleeing in terror from the stronger. Every man is enemy to every man; the same is consequent to the time wherein men live without other security, than what their own strength and their own intention shall furnish them with all. In such condition there is no place of industry; because the fruit thereof is uncertain; and consequently no culture of the earth; no navigation, nor use of the commodities that may be imported by sea; commodious building; no instrument of moving, and removing such things as require much force; no knowledge of the face of the earth; no account of time, no arts, no letters, no society, and which is worst of all a continual fear and danger of violent death. Hobbes admits that man in the state of nature was having certain natural rights. Might, in fact, was the only natural right in the state of nature. These natural rights allowed him to do anything that he pleased as long as he could get away with it. He had a perfect right to murder or steal if he could do so successfully for he was as yet bound by no law prohibiting these actions. It was a state

18. *Ibid.*, Part I, Chapter 10 (74 ff.).

19. *Ibid.*, Part I, Chapter 13 (112-113).

in which the governing law, was the law of the sword. In one word, the life of man in the state of nature was solitary, poor, nasty, brutish and short".²⁰

An examination of human nature shows that there are three instincts which cause man to engage in civil war when left to itself. One is the acquisitive instinct as a result of which man uses violence to make himself master of other men's persons, wives, children and cattle. The second is the natural corollary of the acquisitive instinct, namely the possessive instinct as the result of which man endeavours to prevent his neighbours from securing those things which he himself possesses. The third is the love of glory as the result of which each man seeks the praise and the envy of his fellows.²¹ The existence of the lawless instincts renders life in a state of nature, where positive law and law-enforcing officers are unknown, miserable and unbearable. In order to get rid of this state of misery and wretchedness, the Hobbesian men enter into a social pact for the constitution of political authority. But before we examine his concept of the law of nature, the nature of the social pact and the resulting authority, a word by way of criticism of the state of nature will not be out of place here.

The state of nature does not carry any historicity with it. It is not a fact, but a fiction. This reduces the entire approach to the study of political science merely to a grain of speculation and a pure freak of imagination. The state of nature serves as a basis for the foundation of the later theory. But if the very foundation is baseless, the superstructure that will be raised on this will be good for nothing. But what actually Hobbes wants to emphasise is the contention that without a common political superior the life of men will be worth nothing. Historically examined, Hobbes was altogether mistaken about the existence of the state of nature because as far back as we go in human history we find evidence of social and communal living. But it may, however, be said to the credit of Hobbes that every society or nation which has ever existed has had more or less of the character of a state of nature, just so far as its actual sovereign lacked absolute power to command perfect obedience from all his subjects. And, in any case, the whole question about the historicity of the state of nature is really irrelevant to Hobbes's main contention which is that human nature is such that without a supremely powerful

20. *Ibid.*, p. 63.

21. W. M. McGovern, *From Luther to Hitler*, p. 70.

sovereign men's lives would be miserable and not worth living. Hobbes may be mistaken but he cannot be proved to be mistaken by denying the existence of a state of nature.²²

A still more fatal defect is to be found in his treatment of the nature of men. The natural man as conceived by Hobbes is radically anti-social. If this hateful combination of vices is really natural to man, if these are really the qualities which lie at the root of his whole being, how can we account for the existence in man, as we know him, of qualities the very opposite of these in their essence and working of the capacity for pity, love and self-sacrifice which, with the rarest exceptions, appears, if it be no more than fitfully, in the life of every human being and without which no society of men not even that pointed in *Leviathan*, could hold together for a moment?²³ For such a being would be nothing less than a monstrosity, incapable of good fellowship, incapable even of that abject form of society for which he was expressly devised by his saturnine creator.²⁴ This, indeed, is the criticism of Rousseau and no subsequent writer has ever been able to refute it. "What a strange animal would that be", he writes, "which should find its well being in the destruction of its kind. And how is it conceivable that a race so monstrous and so hateful to endure for so much as two generations? If this rage for mutual destruction had indeed been part of our nature then it would make itself felt even in the civil state ; in spite of ourselves it would drive us to break all the chains which society has woven around us. The same hideous hatred of our kind would still be the recognised guide of all our actions. We should grieve at the birth of our children and rejoice at the death of our own brothers. When we found any man asleep and helpless, our first impulse would be to kill him. The kindly feeling, which makes us grieve over their sufferings, would be things unknown to us, and directly contrary to our nature. Pity and sympathy would be the marks of monster and we should be by nature all that our depraved surroundings can even now hardly force us to become".²⁵

The anti-social being as represented by Hobbes was never to be found in the state of nature. The being so pieced together is an unimaginable monster. Combining in himself all the violence of the

22. W. T. Jones, *op. cit.*, pp. 100-101.

23. C. E. Vaughan, *Studies in the History of Political Philosophy*, Vol. I (England), 1939, p. 49.

24. *Ibid.*, p. 32.

25. Rousseau, *Political Writings*, pp. 305-306.

state of anarchy with all the calculated cunning peculiar to a decadent society, all the brutalities of the sons of Nimrod with all the refined villainy of a Borgia or a Valois.²⁶ Moreover, the only activity of Hobbesian man in the state of nature was to fly at each other's throat. This end can never be attributed to human life. If the existence of such a monster is impossible, still more impossible are the ends which are thrust upon him by the argument of Leviathan, the purpose for the attainment of which life is every moment to be staked. The war of each against all is a war to the knife, or it is nothing; if carried to its ultimate consequence it must lead to the extermination of all men, saving only the one who, in the final duel, is left master of the field. Thus the very attainment of his purpose would be the signal for his destruction; the moment of his triumph would inevitably also be the moment of his fall.²⁷ The conqueror, who having slain all, should have the misfortune to be left alone upon the earth would enjoy nothing, for the simple reason that he would be master of all. What good would he get from the possession of the whole universe, if he dwelt on it alone? How could he gorge his stomach with all the fruits of the earth? Who will gather for him the harvest of every climate? Who will carry the fame of his empire into the vast deserts which he will never reach? What will he do with all his treasures? Who will consume the food that he has stored? In whose eyes will he make boast of his power?²⁸ His brutality, in other words, is the worst enemy both of his selfishness, and his vanity. It drives him towards a goal, in the attainment of which selfishness, vanity, nay, even the craving for life itself, must inevitably work out their own destruction.²⁹ Going back to our original discussion, let us now examine Hobbesian concept of the law of nature which later becomes the very arch of the covenant.

(c) *The conception of the Law of Nature*: Many of the contemporaries of Hobbes, specially with a liberal frame of mind, were perpetually talking about natural rights and natural laws. Both these concepts generally were held to be identical. But Hobbes was careful to distinguish between the two ideas, although he accepted the validity of both of them. As Hobbes himself writes in the *Leviathan*, "A Law of nature in a Precept, or general Rule, found

26. C. E. Vaughan, *op. cit.*, p. 48.

27. *Ibid.*, pp 48-49.

28. Rousseau, *op. cit.*, p. 293.

29. C. E. Vaughan, *op. cit.*, p. 49.

out by Reason by which a man is forbidden to do that which is destructive of his life, or taketh away the means of preserving the same, and to omit that by which he thinketh it may be best preserved. For though they that speak of this subject, use to confound Right and Law, yet they ought to be distinguished because right consisteth in the liberty to do or to forbear; whereas Law determineth and bindeth to one of them: so that Law and Right differ as much as Obligation and Liberty: which in one and the same matter are inconsistent".³⁰

According to Bodin and Grotius, the Law of Nature was essentially a moral law, which commanded them to do good and avoid evil, even when men had no positive laws to regulate their conduct. The Hobbesian concept of the Law of Nature was quite different from his predecessors. Law, according to Hobbes, was properly the word of him "that hath command over others". Since the Law of Nature is not a command of the sovereign, it is, therefore, no law in the real sense of the term. They are, as Hobbes himself says, conclusions and theorems that conduceth to the welfare of man. With Grotius he believed that the so-called natural laws were the precepts or dictates of reason. But by dictates of reason Hobbes meant something far different from what Grotius meant in using those words. Hugo Grotius held that some actions were basically good, others intrinsically bad, and it was the function of reason to tell as to what was right and what was wrong. Hobbes, on the other hand, believed that reason merely told us as to which actions tended towards self-preservation and which towards self-destruction. All natural laws, to him, were really only precepts which tended in the long run to self-preservation. The basis of judgment was expediency. In Hobbes's view, in disobeying these laws man is not wicked: he is merely foolish. It is, thus, obvious that the laws of nature in the case of Hobbes are not the counsels of moral perfection, but they are merely 'counsels of prudence'. Hobbes, therefore, thoroughly going materialist as he is, does not appeal to anything but utility. The Hobbesian man obeys the law of nature not because he has a moral duty to perform, but merely because it is to his advantage to do so. The argument is, therefore, utilitarian in character: it will be to every man's interest in the long run to follow these rules, because by doing so he will get the peace and security which he

30. *Leviathan*, Part I, Chapter 14-15 (116 ff).

desires—the security which will relieve his fear and the peace which will enable him to satisfy his various desires.³¹

In his *Leviathan* Hobbes mentions fifteen commandments of the law of nature. But for all intents and purposes he was satisfied only with the first three. The first of these is, "that men seek peace and ensue it"; the second "that men are obliged to transfer to another such rights as, being retained, hinder the peace of mankind"; and the third, "that men perform their covenants made". To discuss these three clauses of the law of nature, firstly "the state of nature is a state of war, but in this state of war everyone suffers. Even the strong and able man is never safe from the attack of his enemies. At any moment he is liable to be caught in a trap, or be slain by the artifice of a weaker man, just as Goliath the strong was slain by David the weak. It is, therefore, to everyone's advantage to seek to emerge from the state of war to a state of peace. Secondly, peace is impossible as long as each man preserves his natural right to do and to take what he pleases. For a man to give up his natural rights, however, if all other men were to retain theirs, would be ridiculous. It would be tantamount to committing suicide. But if all men were willing to forego the right to seize forcibly what they please, in the long run all would work out to the advantage of everyone. As peace can only be secured by this universal renunciation of natural rights, it behoves everyone to be willing to make this sacrifice and to urge others to do. Thirdly, "the state of war can only give way to a state of peace when each man promises, and abides by this promise, to give up some of his own natural rights. The basis of all peaceful intercourse between men is faith that all men will keep their covenant and that those who break their covenants will be punished. To break a covenant is unjust. Upon these three commandments reinforced by the purely natural cravings to escape from the force and fraud of his neighbours, hang all the subsequent actions of man as a political animal."³²

The Hobbesian conception of the Law of Nature suffers from a very serious defect. It is self-contradictory and on the very face of it, it creates a lot of confusion. The confusion, in fact, is caused by his treatment of the two different or rather contradictory senses which he gives to this cardinal conception. "For him the law of nature stands, on the one hand, for a brute instinct : on the other hand, for

31. W. T. Jones *op. cit.*, p. 115.

32. C. E. Vaughan, *op. cit.*, p. 24.

a moral ideal. And the levity with which he passes from the one interpretation to its direct opposite is nothing short of astounding. In fact, the sense which on any given page he puts into words is dictated purely by the convenience of the moment. When his object is to prove the misery of the state of nature and the consequent interest which all must find in escaping from it, then the law of nature is assumed to be brute force, qualified only or rather still further envenomed, by treachery and fraud. When, on the other hand, it suits his purpose to supplant the blind, and therefore uncalculating and incalculable working of passion and selfishness by the presumably more discerning and therefore more calculable, promptings of reason and duty, then it is a very different story. Then the 'natural man' who the moment before was a mere animal with no thought but of self-interest, with no power of conceiving, much less of recognising duty, suddenly becomes aware that he is bound by a whole network of duties held fast by a long chain of moral obligations. Then such is the value of this inner light—it suddenly becomes the command both of God and 'nature' that, whatever his thirst for war, whatever his delight in force and fraud, he should bridle all such appetites, and renounce all such habits: that he should change war for peace: that he should make a solemn covenant to this end with his inveterate enemies; above all, that the covenant thus made should for all time be religiously observed".³³

Again, it leaves a doubt in the mind of the reader as to how such a law can possibly have run in a world of which the cardinal virtues are deliberately stated to be force and fraud: how a state of nature in which the very notions of right and wrong, of justice and injustice are unknown, can possibly have been regulated by a 'law of nature' which in the spirit—nay, in the very words of the Gospel, lays down the commandment: Do as ye would be done by³⁴.

Leaving the criticism of the law of nature here and going back to the original discussion we note that state, according to Hobbes, arises from the observance of the three fundamental natural laws which we have discussed above. It is the means by which men escape from their natural condition of war to a condition of peace. Will finally enables men to take the action that their reason dictates to compose a society. What is necessary is a "will not to will"—not to insist on one's will on every occasion, to accept a limitation

33. *Ibid.*, pp. 33–34.

34. *Ibid.*, p. 24.

of the will. This can be arranged if men agree to transfer by means of contract their absolute right to will whatever they like to some agreed-upon third party. Such a third party must have a particular characteristic. He must be the representative of each individual—that is, in artificial person distinct from the natural man. He can then will and act in place of each individual. But he must of course be the representative having authority from him who is represented. Since men cannot keep themselves in order, they, therefore, require a sovereign to rule over them. Moreover, if this sovereign is to maintain peace and security permanently and efficiently he must be supreme and all-powerful. This supreme and all-embracing sovereign was created by making the social contract.

(d) *The Social Contract* : The Hobbesian men were determined to end the sorry state of affairs as was prevalent in the state of nature. The state of nature being full of dread and uncertainty of life could not be endured for much time. The instinct of self-preservation, supported by the planks of natural law and laws of motivation, instructed its inhabitants to advance towards the civil state by retreating from the state of nature. One of the natural laws immediately came forward to do the yeoman's service. It placed the services of contract at the disposal of those weary, tired and fed up people, through the using of which they emerged into the civil state. The contract was concluded between the people themselves. It appeared as if each man said to the other, "I authorise and give up my right of governing myself to this man or to this assembly of men on this condition, that thou give up thy right to him and authorise all his actions in like manner". It is useful to notice certain features of this formula of social contract which are peculiarly significant.

In the first place, many of the advocates of the social contract theory argued that the contract is between the governor and the governed. The governed or subjects agree to do so and so, but only on condition that the governor or monarch fulfils his obligations and treats his subjects justly and fairly. In consequence of this theory it could be and was held that if the governor acts unjustly, his subjects can claim that the contract has been broken and are justified in rebelling. Hobbes would have none of this theory. According to him, the social contract is not between the governor and the governed but between each and every member of the state—the sovereign, in fact, is not a party to the contract. The parties to the contract are individual natural men—not groups of any sort, not the 'people' vaguely defined, and not any superior being or

sovereign. A superior sovereign exists only by virtue of the pact, not prior to it. Individuals, naturally equal, agree one with another to give up the natural rights to a common recipient, the recipient becomes by that fact their superior.

In the second place, the designation of the sovereign by the majority and its complete submission to it is an article of the contract, hence it leaves no ground on which a minority can base its just resistance. Hobbes's claims that a minority has no right to object to the choice of a majority in the selection of the sovereign power, for it can be argued that the minority never agreed to become members of the social contract with its necessary obligations. In this case, the minority must still be considered to exist in the primeval state of war, and they may, therefore, be destroyed without injustice by the newly constituted state unless this minority submit to the decree of the majority.

In the third place, the end sought by the parties—internal peace and defence from external foes—is an integral element of the contract, and must therefore be regarded as a condition of its continued existence. The contract is ever binding and irrevocable. The members of the newly formed state have no right to withdraw their promise of obedience whatever the provocation. By the third law of nature men are forced to stand by their covenants, lest they should relapse into the horrible state of nature—a state of wretchedness and terror and promiscuous rapine and slaughter. Hence any attempt to rebel against or resist the commands of the sovereign is a violation of the third natural law and leads straight back to primeval anarchy.

Lastly and finally, it should be noted that by the terms of the social pact the sovereign obtains absolute and complete control over all the citizens of the state. There has been absolute surrender on the part of the subjects and absolute despotism on the part of the sovereign. The one is the inevitable counterpart of the other.

The social contract formula of Hobbes has been challenged on many grounds. Firstly, the plain fact is that the natural man, as conceived by Hobbes, is essentially anti-social and no juggling with words and contracts can ever make him a fit subject for society. How is it possible to believe that the same beings, who one moment have been flying at each other's throats, should, the next moment, with equal eagerness, be flying into each other's arms?³⁵ No occult

powers or magic device can bring such a radical change. The Ethiopian cannot change his skin. Nor could the crafty cut-throat, the Machiavelli Attila, of the opening chapters, even have become the peaceful labourer, still less the cringing Helot, of the close.³⁶ As depicted in the state of nature, the man is radically a warmonger. His habits are essentially nasty. It is never expected of such a man that he will give up his vicious habits and nasty living so soon and almost all of a sudden. How can this monster be expected to exchange peace for war whose only delight was to cut the throat of his fellow beings. "In all the annals of religion, in all the fairy tales of the Kingdom of Darkness, there is no conversion so sudden, or so radical, as this".³⁷ Secondly, the contract is possible only under a settled order of the state. But to explain the contract before the very existence of the state is simply putting the cart before the horse. Thirdly, the step taken by the natural men of Hobbes for the constitution of a civil state was perhaps more dangerous than the state of nature itself. The covenant, as for example has generated a despotic monarch who has reduced the status of his subjects to the position of menial staff. The objection is that the natural men of Hobbes must not have taken that step which was to invite simple destruction and disaster for them. As Locke pointed out in one of the few passages where we may suppose him to be writing with direct reference to Hobbes, "This is to think that men are so foolish that they take care to avoid what mischief may be done them by polecats and foxes, but are content, nay think it safety, to be devoured by lions". "The society instituted by this contract offers a state of things still more intolerable than the anarchy which it replaces. It is, in fact, no society at all. It is a herd driven together by sheer panic and held in the pen by nothing but the terror of the sword".³⁸ Since the state is founded on pure and simple despotism with no rights and powers of the people, it cannot be termed state in the real sense of the term. "The state of Leviathan is a state avowedly founded upon slavery: founded therefore upon a principle which is the very negation of all justice".³⁹ Fourthly, according to Hobbes, the nature of the primitive man is darkness unrelieved by a single streak of light. How could this ignorant, brutish, selfish and anti-social man become

36. *Ibid.*, p. 32.

37. *Ibid.*, p. 34.

38. *Ibid.*, p. 51.

39. *Ibid.*, p. 51.

enlightened and politically conscious? "And how the light subsequently stole its way it is a question to which Leviathan offers not even the semblance of answer"⁴⁰ Lastly, the state of nature, as pointed out by Hobbes in the opening pages of the *Leviathan*, could never have led even to the crude and barbarous form of civilization which we are expected to bow down and worship at the close.

(c) *The Absolute Sovereignty*: Going back, again, to the original discussion, it was out of the above mentioned contract that the government of the community was created, which was to be all powerful, and of the dimension of a Leviathan. Since society depends on mutual trust, the next step is evidently to explain how this is reasonably possible and this brings Hobbes to his theory of sovereignty. The special importance of Hobbes lies in the fact that he determines the rights and powers of his sovereign and the liberty and duties of his subjects in the light of the natural inclinations and motives of men. As he himself writes, "I ground the civil rights of sovereigns, and both the duty and liberty of subjects upon the known natural inclinations of mankind". Although he says that men perform their covenants made, but what he actually wants to emphasise is the fact that the performance of the covenants may be reasonably expected only if there is an effective government which will punish non-performance. Here Hobbes develops his peculiar doctrine of the sovereign. Not for a minute can men be trusted to maintain their undertakings against their own interests. Therefore simultaneously with the resignation of the full 'right of self-defence' a power is set up competent to hold in terrorism those who are tempted to abuse that resignation. It must be a power that is competent to make the life of the seceder or criminal much less pleasant than his life would be if he yielded obedience to the universal authority to break him. It holds the sword of blood.

"Covenants, without the sword, are but words, and of no strength to secure a man at all. The bonds of words are too weak to bridle men's ambition, avarice, anger, and other passions, without the fear of some coercive power".

All throughout it has been a systematic attempt on the part of Hobbes to bring into existence an all compulsive and coercive authority to give perfect security to the life of its subjects. The author of the *Leviathan* feels that security depends upon the existence

40. *Ibid.*, p. 49.

of a government having the power to keep the peace and to apply the sanction needed to curb man's innately unsocial inclinations. The effective motive by which men are socialized is the fear of the punishment.⁴¹ It is in the light of this that the sovereign has been given a number of specific rights which are regarded by Hobbes as belonging to sovereignty.

The doctrine of sovereignty, in fact, was originated and developed by Bodin, a French jurist in his famous work, '*De Republica*', published in 1576. He had affirmed quite unequivocally that sovereign was above all human laws. Even the injustice of sovereign's command does not absolve his subjects from obedience. But his lawyer-like respect for cases and precedents led him to confuse a clear statement of the absolute power of the sovereign by allowing limitations derived from the law of God, the laws of nature, of fundamental constitutional laws. His sovereign could not interfere with family or property rights. But in Hobbes we have a clear and more consistent statement of theory of absolute sovereignty. He claims for his sovereign person or body in all respects the omnipotence which before and since was limited to his theoretical legislative competence. In doing so he was prompted by three motives : (1) *Leviathan* was written during the great civil war. England was distracted by the claims of King and Parliament. Only a strong hand could reintroduce law and order and bring back peace. (2) Hobbes has a strong feeling for the principle of unity, upon which the Medieval Ages had so much insisted. To Hobbes unity was strength. Hence his principal problem was how to make the state one. A nation to be a state must be animated by a single will. Somehow it must have a will of its own. Thus the contract was made so as to achieve a universal surrender of all alienable rights into the hands of the sovereign. (3) He had a personal preference for the monarch. *Leviathan* in fact is essentially an ideal construction. "It is no picture of any existing state : it is rather a model to which state ought to conform. When he speaks of the sovereign he is not speaking of any actual instance but of an ideal type in which all the attributes of sovereignty are combined. For that reason it makes no difference whether the powers and rights of sovereignty are held in one hand or by more persons than one".

But Hobbes was not satisfied with strength alone, he desired to found the state on right as well as on might. The might of the sovereign was secured by assuring him a comprehensive system of

41. G. H. Sabine, *op cit.*, p. 397.

rights. Leviathan gives a long list of such a system of rights. The sovereign, as for example, cannot be justly punished by his subjects, he is the judge of the means of peace and defence and may do whatever he shall think necessary to preserve peace both at home and outside against enemies, including the supervision of opinions and doctrines and the publication of books. He has the right to make civil laws covering what he shall think necessary to civil security, including the doctrines and observances of religion, and the property of his subjects ; he has the right of judicature, that is of hearing and deciding all controversies. He may make war and peace with other nations, direct the armed forces and levy money to pay for them. He has the right to choose all counsellors, ministers, magistrates and officers, to regard or punish his subjects according to the civil law, or if there be no law made, as he judges most conducive to the safety of the commonwealth and to give titles of honour and dignity to his citizens.⁴²

Concerning those rights Hobbes maintains :

"These are the rights, which make the essence of sovereignty, and which are the marks, whereby a man may discern in what man, or assembly of men, the sovereign power is placed and resideth. For these are incommunicable, and inseparable".⁴³

There are other rights of the sovereign, Hobbes suggests, such as the right to coin money or to dispose of the property of infant heirs, that may be transferred by the sovereign to other hands, but the essential rights are always retained as a condition of the sovereign's preserving the power to protect his subjects. Such rights may not be granted away without resigning sovereignty itself, and if any of them seem to be granted to others, such a grant is void unless the sovereign power is, in direct terms, renounced. The government thus set up must have absolute power or sovereignty over the action of the governed, and the latter, by their action, have lost not only the power, but even the right to question or resist. They have no freedom of action, and since actions are governed by thoughts alike in matters of speech and in matters of action the individual is not free. The sole duty of the government is to make itself master of all the outward machinery by which the thoughts of men are influenced or directed. No teacher or preacher is to be allowed, otherwise it will lead to seditious revolt often masquerading under the garb of religion. The entire building so laboriously constructed will crumble and tear

42. *Leviathan*, E. W., Vol. III, pp. 160-68. .

43. *Ibid.*, p. 167.

asunder. The toil of ages will be undone within moments. The authority may be overthrown, and man will reel back into the same state of nature from which he emerged out as a civilized being. Thus the sovereignty of the monarch is absolute in its control of all public utterance and teaching, absolute in its power over the life and property of the subjects. He has a right over the lives of his subjects because if his control were withdrawn no life would be worth a moment's purchase ; man's life—not one, but all men's—would once more be as cheap as beast's. The sovereign, again, has control over the property of his subjects because if his sword is to be taken away, there will be no such thing as private property. Hobbes, thus, does not recognise even the elementary rights and freedom of the subjects. He is enemy number 1 of individualism. "The whole work of Hobbes breathes the bitterest hatred not only of individualism as a theory, but even of these elementary rights which none but the most backward nations now deny to the individual in practice".⁴⁴

The governing body thus has unlimited power and could establish laws for its subjects. These laws were the only laws Hobbes recognised as binding on man. Laws to be binding must be supported by paramount force. The sovereign is the sole maker of these laws and hence he is over and above all laws. The authority of the sovereign is not limited by the laws of nature because they are merely conclusions and theorems what conduceth men for his conservation and defence. He is, again, not limited even by the law of God because law actually is the word of him who hath command over others. Bodin had made distinction between the laws of the temporal sovereign and the laws of nature and the laws of God ; and there might be a conflict among them. But in the Hobbesian system this conflict between civil and natural laws is rendered impossible. Firstly, the chief purpose of the natural laws is to secure peace through the erection of an omnipotent state ; hence the state in using the omnipotent rights, in any way it pleases, is merely following the dictates of natural law.⁴⁵ Secondly, all laws, he states, have need of interpretation, including the law of nature. In fact, owing to passions and prejudices the law of nature has now become very obscure, and has the greatest need of authoritative interpretation. Now, it is not permissible for this interpretation to lie in the hands of private persons. Rather its interpretation must come from the judges appointed by the sovereign. Indeed natural law, which is essentially

44. C. E. Vaughan, *op. cit.*, pp. 22-23.

45. W. M. McGovern, *op. cit.*, p. 75.

a body of rational maxims, only requires the force of true law when it is interpreted and applied by the sovereign and his judicial agents.⁴⁶

From the above discussion, it becomes quite obvious that Hobbesian conception of sovereignty is quite plain and it forms a coherent system. Certain things become quite clear on the very face of it. Firstly, the sovereign is determinate body whether a single or a body composed of more than one. Secondly, the sovereign must be the source and author of law. Thirdly, the sovereign is necessarily irresponsible to any authority as indicated by the original contract of Hobbes. Fourthly, the sovereign cannot really divest himself of sovereignty. There cannot be two such sovereigns in a community. He is unable by his own act. Sovereignty, therefore, is inalienable, indivisible, illimitable and absolute. The whole doctrine may be summed up in the definition of the sovereign as a 'determinate person with unlimited powers'. Hobbes admits no personal rival, no checking institutions and no balance of power within a state. In fact, "the theory of Hobbes is a theory of unadulterated despotism or it is nothing. Freedom to him is not a horse who, with the aid of bit and bridle can be made extremely useful, it is a wild beast to be chained and barred".⁴⁷

A word by way of criticism will not be out of place in this context. The idea of sovereignty which he propounded is, no doubt, utterly inadmissible. Its dangers and hollowness were exposed by the pluralists of the recent period. "When pressed to its logical conclusion, it is, in fact, manifestly self-destructive. For, by reducing the whole herd to slaves, he has left no state for the sovereign to govern".⁴⁸ The sovereignty of Hobbes is placed solely in the ruler, who thereby becomes avowedly a despot. The sanction on which it rests is nothing but terror.⁴⁹ His book, *Leviathan*, is not only useless as a key to history, it is equally fruitless as a theory of the state. The 'society' called together by the 'covenant' is seen, directly we examine it, to be no society at all. All life is gathered in the 'one man' at the head of it; the rest of the body is a dead weight, a mere unprofitable mass.... It is of the essence of every community that life should be more or less evenly diffused among its members; that every one of them should contribute his share, large or small, to the

46. *Ibid.*, pp. 75-76.

47. C. E. Vaughan, *op. cit.*, p. 54.

48. *Ibid.*, p. 55.

49. *Ibid.*, p. 56.

activity of the whole".⁵⁰ But the assemblage of men supposed by him is, as Rousseau said, "not a community but an aggregate": a mob huddled together by sheer terror, not that organised body which alone can be called a state. But in spite of all this criticism and other perversions, "he must take the credit of being the first to see that the idea of sovereignty lies at the very root of the whole theory of the state; and the first to realise the necessity of fixing precisely where it lies, and what are its functions and its limits".⁵¹

(f) *Forms of government*: The views of Hobbes about the form of government can be explained by his conception of sovereignty. Like Aristotle, he explains the kinds of commonwealth by the number of persons constituting the sovereign:

(a) When one man is vested with all the powers of the multitude who constitute the society, the state is monarchic.

(b) When this power lies with an assembly to which every one may belong, this is democratic.

(c) When this assembly is limited to certain men, the state is aristocratic. The idea of limited government was an absurdity both to Bodin and Hobbes. Older writers from Aristotle on sought to distinguish between monarchy and tyranny, aristocracy and oligarchy, democracy and mob rule. Hobbes rejected this system of classification on the ground that sovereign in all of them possesses the same attributes, and that such distinctions were subjective rather than objective.

"They that are dissatisfied with monarchy call it tyranny, they that are displeased with aristocracy call it oligarchy, so also they who find themselves grieved under a democracy call it anarchy. But the lack of government does not mean a new government".⁵²

The same government may well be considered a monarchy by some and a tyranny by others. As to the best form of government, Hobbes says that that form of government is definitely better which can be adopted to direct the absolute power to the single end of maintaining peace and security. Viewed in the light of this, according to him, monarchy is ultimately declared to be the best. He condemns the democratic rule on the basis of the weakness and vacillation of democratic assemblies—how the common people are more likely to be swayed by passions than by reason. More

50. *Ibid.*, p. 54.

51. *Ibid.*, p. 55.

52. *Leviathan*, p. 97.

interesting are the arguments which Hobbes builds upon his conception of human nature, the inevitable tendency of men to be dominated by self-interest. All men are necessarily swayed more by private than by public interests. "From whence it follows that where the public and private interests are most closely united, there is the public most advanced. Now in monarchy the private interest is the same as the interest of the public. The riches, power, honour of a monarch arise only from the riches, strength, and reputation of his subjects. . . . whereas in a democracy or aristocracy the public prosperity confers not so much to the private fortune of one who is corrupt or ambitious as doth many a time perfidious advice, a treacherous action, or a civil war".⁵³

Hobbes, no doubt, is willing to admit that a monarch may be selfish in granting special favours to his friends and flatterers. But he believes that the member of a democratic assembly will pursue the same policy. "And whereas the favourites of monarchs are few, and they have none to advance save their own kindred, the favourites of an assembly are many, and the kindred more numerous than of any monarch".⁵⁴ "In a monarchy, in other words, public money may be wasted on the king's mistresses, but the sums spent in this way are nothing compared with the 'pork barrel' money and the soldiers' bonuses which will be voted by a democratic assembly in order to win favour with the mob".⁵⁵

(g) *State-Church relation*—The predecessors of Hobbes were very much occupied with the problem of state-Church relationship. Hobbes, too, was not indifferent to this question. If we go through the pages of *Leviathan*, we will find that practically half of it is devoted to the discussion of theological and ecclesiastical principles which supplement the moral and political theory of this work. Ecclesiastically examined, Thomas Hobbes was essentially an erastian and his exaltation of the political sovereign left no room for the independent existence of the Church without the sovereign's will. It becomes quite obvious from his definition of the Church. He defines the Church as "a company of men professing the Christian religion, united in the person of one sovereign, at whose command they ought to assemble, and without whose authority they ought not to assemble".

53. *Ibid*, p. 98.

54. *Ibid.*, p. 99.

55. W. M. McGovern, *op. cit.*, p. 78.

From this definition of the Church, certain things follow : Firstly, that any body of men meeting for worship without the command of the sovereign is no Church but just an unlawful assembly. Secondly, that there is no such thing as a universal Church, since there is no all-inclusive commonwealth. It was in this way that the ecclesiastical pretensions of both Catholics and Dissenters were stripped off by Hobbes. To quote Professor W. A. Dunning, "The majestic claims of the Church were insulted by the philosopher's downright repudiation of such concept as a spiritual government". According to Hobbes, "Temporal and spiritual governments are but two swords brought into the world to make men see double and mistake their lawful sovereign". The lawful sovereign, to Hobbes, is neither the Pope nor the institution of the Church, but the temporal monarch. Sovereign, to him, is perhaps the supreme religion and the source of all authority connected with that name. The sovereign derives his powers and position immediately from God. The priests and the bishops derive their powers from the sovereign. Thus he ignored and condemned the claims of those Anglican priests and bishops who believed that such authority came only to them directly from God and not from the sovereign.

Hobbes now takes up the old works which were written to support the dignity and majesty of the papal claims, and he criticises them at length. His criticism is so logical and scientific that it appeals to modernity even at present. "Bellarmine", says Professor W. A. Dunning, "who was perhaps the most effective exponent of the claims of the Papacy, receives the honour of a step by step refutation". The corruption in the life of the Church and its complete failure to strengthen civil life of the people was a great concern of the philosopher. Hobbes rightly felt that one of the principal causes of the civil war was religious in origin. Hobbes regarded religious superstition so powerful a drug that it constituted an appalling menace to the very fabric of society unless its administration was carefully and scrupulously supervised. He was justified in thinking that religion, in the hand of a prudent sovereign, was a powerful instrument for social cohesion, but an equally powerful divisive force when it passed out of his control. All throughout, Hobbes is sincere and conscious to secure the sovereign's control over ecclesiastical affairs. The ecclesiastical authority had failed to pursue a policy of religious toleration. Hobbes is a strong champion of the policy of religious toleration on rationalistic grounds, and he thought that such a toleration could be possible if the sovereign was also supreme in

matters of religion. In matters of religious worship, Hobbes is stiff in maintaining the power of the sovereign. It is in this way that Hobbes completely subordinates both Church and religion to the interests of the state. His subordination, however, rests on logical foundation. "So long as public disorders do not ensue", says Hobbes, "the independence of the primitive Christians is perhaps the best". But such an independence is neither possible nor desirable when the state is overtaken by struggle and strife, chaos and corruption.

"It is in this way", says Professor W. A. Dunning, "that Hobbes comes to his original purpose of securing through absolute sovereignty the external and physical peace that he thought essential to the most effective intellectual activity".

(h) *Individualism of Hobbes*—To a casual and superficial reader, the monarchic absolutism appears to be the most important part of the political philosophy of Hobbes. The reality is something different. The importance of Hobbes as a political thinker does not lie in his absolute monarchic principles but individualism. To quote Professor G. H. Sabine, "The absolute power of the sovereign, a theory with which Hobbes's name is more generally associated, was really the necessary complement of his individualism".⁵⁶ To quote the same writer again, "The monarchical absolutism with which the name of Hobbes is generally associated constitutes the superficial part of his political philosophy. And although the civil war occasioned his thinkings and writings, but they account in a very less degree for the importance of what he has to say". To Professor Sabine, individualism appeared to be the most characteristic part of Hobbesian political theory. Similarly Professor C. E. Vaughan has observed, "This preposterous system is itself based consciously or unconsciously on assumptions representing an extreme form of individualism : an individualism more uncompromising than that of Locke himself".⁵⁷

No doubt he exalts the power of the state, but his theory was wholly individualistic and rested on a recognition of the natural equality of all men as was ever asserted by Milton. To mention Hobbes in this connection, "Nature hath made men so equal in the faculties of body, and mind, as that though there be found one man sometimes manifestly stronger in body, or of quicker mind than another ; yet when all is reckoned together, the difference between

56. G. H. Sabine, *op. cit.*, p. 403.

57. C. E. Vaughan, *op. cit.*, p. 23.

man and man is not so considerable, as that one man can thereupon claim to himself any benefit, to which another may not pretend, as well as he. For as to the strength of body, the weakest has strength enough to kill the strongest, either by secret machination, or by confederacy with others that are in the same danger with himself. And as to the faculties of mind, I find yet a greater equality among men, than that of strength. For prudence is but experience which equal time, equally bestows on all men, in those things they equally themselves unto".⁵⁸

Again, there is a contract of individuals with individuals. The state also comes into existence through this contract and continues to exist because of this contract. Thus the state becomes the playwright of the individuals. The basis of the state is consent of the individuals. Except as there is a tangible superior to whom men render obedience, and who can in necessity enforce obedience, there are only individual human beings each actuated by his private interests. There is no middle ground between humanity as a sandheap of separate organisms and the state as an outside power holding them precariously together by the sanctions with which it supplements individual motives".⁵⁹

Though outwardly an enemy number 1 of individualism, Hobbes is concerned above all with the individual and the rights and privileges of the individual. "In contracting into civil society, the subject does not and cannot grant away all his rights".⁶⁰ "As it is necessary for all men that seek peace, to lay down certain rights of nature, that is to say, not to have liberty to do all they list, so is it necessary for men's life to retain some ; as right to govern their own bodies ; enjoy air, water, motion, ways to go from place to place ; and all things else, without which a man cannot live, or not live well".⁶¹ The Civil society, in Hobbes's view, was not instituted for its own, but for the subjects sake, and the duties of the sovereign concern the subject as a beneficiary. "The resulting estimate of government was wholly secular and quite coolly utilitarian. Its value consists solely in what it does but since the alternative is anarchy, there can be no doubt which a utilitarian will choose. The choice has little sentiment behind it. The advantages of government

58. *Leviathan*, pp. 63-64.

59. G. H. Sabine, *op. cit.*, p. 403.

60. Howard Warrender, *The Political Philosophy of Hobbes* (Great Britain), 1957, p. 188.

61. *Leviathan*, E. W. Vol. III, p. 141.

are tangible and they must accrue quite tangibly to individuals in the form of peace and comfort and security of person and property. This is the only ground upon which government can be justified or even exists. A general or public good, like a public will, is a figment of the imagination, there are merely individuals who desire to live and to enjoy protection for the means of life".⁶²

His *Leviathan* contains a long list of the duties of the sovereign. Hobbes summarizes the office of the sovereign as being to procure the safety of the people but he adds that by safety here, he does not mean a bare preservation of life, but of other contentments of life also. His detailed discussion of the duties of the sovereign is only partly concerned with the provision of security; it is concerned also with obligations designed to secure the prosperity of the citizen, the equitable administration of the law and the preservation of the harmless liberty of the subject. Thus the goal of political association, as reflected in the duties of the sovereign, includes the realization of other values besides sheer physical preservation. The king stands as a servant of the people whose primary duty is to maintain peace and security. "The theory reached its perfection in the 19th century individualism and announced its extinction in the metaphysical tangles of Kant and Fichte".

Hobbes also mentions one important limitation to the sovereign's power. The sovereign may kill a man and not act unjustly. But the sovereign may not lawfully command a man to kill himself nor to resist those who assault him. Man enters into the contract in order to protect his life; hence the command to commit suicide is a direct breach of the contract and is the only act which can be considered such a breach. In the presence of such a command, a man is freed from the obligation of the contract. When the legitimate sovereign has lost all power to protect his subjects or to preserve them from injury, the duty of obedience ceases. The subject under the terms of the social contract must blindly obey the *de jure* monarch as long as the latter can maintain peace and order but in the event of successful civil war, the *de jure* monarch loses his power and the duty of obedience automatically ceases, the subject is then free to seek peace by serving under the new *de facto* ruler. "It was by means of this doctrine that Hobbes, the pillar of royalism, justified his own actions in accepting the rule of Cromwell after the execution of Charles I".

62. G. H. Sabine, *op cit.*, p. 403.

On the assumption of his psychology of self-defence and self-assertion, Hobbes is necessarily an individualist. He bases his politics rightly on psychology, but much of his bad political philosophy is due to his bad psychology. Yet individualism leads him straight to thorough going statism, the belief that one man should have complete dominion over the lives and fortunes of his fellow countrymen.

(i) *Place of Hobbes in the History of Political Thought*—Controversial opinions have been expressed about the place of Hobbes in the history of European political ideas. According to Professor Dunning, "His work placed him at once in the front rank of political thinkers and his theory became from the moment of its appearance the centre of Europe".⁶³ Dr. Murray tells us, "Hobbes's biographer could only find a solitary supporter, while his assailants were countless. Hobbeism, in fact, stood for atheism, materialism, despotism, or indeed for any other ism that the fancy of the age suggested".⁶⁴ According to Dr. Gettell, "The theory of Hobbes had little immediate following in English political thought, although it probably influenced Cromwell to assume dictatorial power. His doctrines were not revived in England until the second half of the eighteenth century in the works of Bentham and Austin. His comparison of the state to a human organism was taken up later by Spencer and the sociologists. On the Continent, however, his doctrines were developed immediately by Spinoza".⁶⁵ To Dr. Lindsay, "His main virtue as also his supreme defect, is his realism, if we use that term of a capacity of seeing with great clearness and honesty everything in human behaviour which one without faith or emotion can see. He was almost overwhelmingly sensible".⁶⁶ Professor C. E. Vaughan, who is a great critic of Hobbes, expresses a very damaging opinion about him : "So far as the vital development of political thought is concerned, Leviathan has remained, and deserved to remain, without influence, and without fruit ; a fantastic hybrid, incapable of propagating its kind".⁶⁷ The opinion expressed by Prof. G. H. Sabine is just the opposite of Vaughan. To him, Hobbes is probably the

63. W. A. Dunning, *A History of Political Theories from Luther to Montesquieu* (1905), p. 300.

64. R. H. Murray, *The History of Political Science from Plato to the Present*, (1926), p. 216.

65. R. G. Gettell, *History of Political Thought* (1924), p. 221.

66. A. D. Lindsay, *Introduction to Everyman's ed. of Leviathan*, p. 11.

67. C. E. Vaughan, *op. cit.*, p. 37.

greatest writer on political philosophy that the English speaking peoples have produced". In the same manner Prof. Oakshott says, "Leviathan is the greatest and perhaps the sole masterpiece of political philosophy in the English language". It is, however, very difficult to reconcile these contradictory opinions. All these opinions, if they are to be dispassionately judged, will be found to contain some or the other element of truth.

Hobbes might not have much following in his own day, but the fact remains that in the history of political thought he is assigned and should be assigned a very high place. He was the first political philosopher to generalise in details the human nature and to give the causes of quarrel among them. How competition, diffidence and glory ultimately lead men to invade each other, he explained very scientifically. He established a true relationship between psychology and politics. He, in the real sense, was a forerunner of the psychological school.

His doctrine of sovereignty is a positive contribution to political thought. In this field the work which was started by Bodin was completed by him. He clearly set forth the idea of an absolute sovereignty. "Not from the sages", says Hobbes, "philosophers and orators of the pagan past nor from the saints and theologians of the Christian era, but from the head of the state alone must a people that has risen above barbarism seek the decisive judgment on any question of duty whether political, moral and religious".

He subordinated the Church to the authority of the State. Thus the work started by Marsilius of Padua was completed by him. For a materialist like Hobbes, the spiritual became a mere ghost and a figment of the imagination. As he writes in his *Leviathan*, "For it was with the mysteries of our religion as with wholesome pills for the sick, which, swallowed whole, have the virtue to cure, but chewed, are for the most part cast up again without effect".

He became the forerunner of the utilitarians by making the state the conciliator of the conflicting interests of the individuals. "It is no accident that Jeremy Bentham borrowed heavily from him here as he did from Hobbes's ideas on Felicity. Succeeding generations have usually disagreed with him, but it is no exaggeration to say that they have found in him a mine well-worth their while to work for the riches of the ore that it yields".⁶⁸

Different schools of thought have drawn inspiration from his secularism, naturalism, individualism, utilitarianism and authoritarianism. "The influence of Hobbes was quite perceptible in 19th century legal thought. His doctrine of sovereignty and his idea of positive law were fully embodied in the legal philosophy of the great Victorian Prof. of Jurisprudence, John Austin."⁶⁹ His principles were as much adapted to the purpose of an absolute parliament as to those of an absolute king. To conclude with Prof. Maxey, "This debonair and versatile tutor, who spent the major part of his life imparting rudimentary learning to succeeding generations of Cavendish heirs was one of the great political thinkers of the English race, one whose name will endure as long as men trouble their minds about matters political".⁷⁰

69. C. C. Maxey, *op. cit.*, p. 234.

70. *Ibid.*, p. 235.

"Few men are privileged to influence the thought and action of their own and subsequent times as considerably as John Locke. Not alone in political thought, but in economics, education, theology and metaphysical philosophy did the luminous intellect of this seventeenth century doctor of medicine pencil outlines of thought that multitudes were destined to follow".

—C. C. Maxey.

1. *Life and times of John Locke* : John Locke, the father of philosophical liberalism, a great champion of the rights of men, the prophet of consent in politics, and a great upholder of the cause of individuals, was born at Wrington, Somersetshire, in 1632. He spent childhood at Pensford, near Bristol. His father, who was a lawyer and landowner of moderate means, had pronounced sympathies with the Roundheads. In 1642, he enlisted himself in the Parliamentary

army and served as Captain of a company of volunteers. Locke's education was begun with tutors in the home. In 1645, he went to Westminster School. In 1652, at the age of twenty he proceeded to Christ Church College, Oxford, a fact that he regretted. Oxford at that period was under the domination of the fanatical and intolerant left wing of the Puritan party, and Locke found their narrow discipline little to his taste. Though his repugnance did not carry him over to the opposition, it dulled his enthusiasm for formal studies and caused him, as he said, to seek the company of gay and liberal spirits from whom he gained a great knowledge of things not taught in books or sanctioned by the University authorities.¹

He graduated himself from the Oxford University in 1656 and stayed there to pass his M.A. examination in 1658. In 1659, he was appointed as tutor in Greek, rhetoric and philosophy at the Oxford University. But this unregimented scholar did not like to stay in the teaching profession. Hence he decided to take up the study of medicine in 1666 under David Thomas, an eminent physician, who, at that time, was practising at Oxford. Later he made friends with Boyle, the physicist, and obtained the patronage of Lord Ashley, Earl of Shaftesbury. In 1672, he became Secretary of Ecclesiastical Presentations of Shaftesbury when he was created Chancellor. Locke profited enormously from his connection and association with Shaftesbury. Through him he came in close contact with great personalities of the day in politics, science and literature. In 1673, he became Secretary to Board of Trade and Foreign Plantations. Besides carrying the burden of these two offices along with his medical duties and other responsibilities, he spared time to devote himself to philosophical studies and took part in the deliberations of the Royal Society. After the dismissal of Shaftesbury in 1673 by the monarch whose trend of government he criticised, Locke also went out of office with his patron. At this time, because of his suffering from chronic asthma, he decided to go to France for rest and treatment. After the restoration of Shaftesbury to office in 1679, Locke immediately returned from France and resumed his old position and continued in office until 1681, when Shaftesbury was arrested and tried for his attempts to secure Protestant succession in England. After the banishment of Shaftesbury, Locke resigned from his job in the government and retired to Oxford. Apprehending action against him in 1683, he sought asylum in Holland, where he

1. C. C. Maxey, *Political Philosophies*, p. 247.

lived in concealment in order to avoid extradition to England. During this period of forced exile, Locke made his first serious appearance as an author. The period between 1683 to his death in 1704 witnessed the production of practically all the great philosophical works which have made his name great in the history of human thought.²

During his stay in Holland, he became well acquainted with William, Prince of Orange. After the Glorious Revolution of 1688, when William was invited to ascend the English throne, Locke returned back to his country sailing in the same ship in which Mary the princess consort travelled. In 1689, William III made him Commissioner for Appeals. But the climate of London did not agree. Hence he resigned his job and settled in his county place Essex. In 1696, he was again persuaded to accept a commissionership on the Board of Trade. But he was not in a position to bear the strain caused by his frequent visits to London in connection with his appointment. Consequently, he resigned from this position in 1700 and thenceforward never came back to public life. One of the last tasks with which he busied himself was the planning of elaborate celebrations in honour of the marriage of his nephew. And a month later, after he had drunk for the health of his friends, and Lady Masham had read to him from the Psalms, he closed his eyes in 1704 and quietly passed away. No more fitting epitaph for him could be found than that contained in a letter by Lady Masham, "His death", she writes, "was like his life, truly pious, yet natural, easy and unaffected ; nor can time, I think, ever produce a more eminent example of reason and religion than he was, living and dying".³

The times in which Locke was living were not marked with easiness and calm. He lived through a period of great political disturbance and revolution. Most of the European countries were still under the heels of the absolute monarchs where the seeds of liberalism and liberty were suppressed with all ruthlessness. "To cut off the head of a monarch and to exile another one and then to bring the Glorious Revolution in the same country certifies the liberal tendencies flourishing in England". The way of thinking was undergoing a considerable transformation, and the theological and ecclesiastical arguments were completely set aside. The principles of

2. *Ibid.*, p. 249.

3. This account of his last days is taken from Fox Bourne's *Life of John Locke*, II, 560, quoted by W. T. Jones in his *Masters of Political Thought*, Vol. II, p. 154.

democracy and toleration were gaining ground, and successfully struggling against the Divine Right of Kings. Rationalism and liberalism with varying interpretations were gradually dominating the scene.

The effect of the increase of wealth and the growing mercantile influence on government made for a growing emphasis on the importance of the property and freedom for individual business initiative, which is conspicuously apparent in Locke. He voices, indeed, the common sense of an age tired of the conflicting enthusiasms of the English Civil War and anxious to be allowed to reap the harvest of prosperity which stretched out into the long horizons of the eighteenth century. The colonial expansion of England, the creation of a modern system of banking, the advent of Dutch Protestant King, the rise to full power of commercial land owning interest, and the gradual stabilization of party government, all demanded a political theory which should safeguard the institution of private property and provide a basis of authority other than that of monarchy by Divine Right.⁴

The leaders of the second successful revolution soon felt the need of a system of political philosophy which would support and explain the actions which they had taken. The revolutionaries were sound believers in a constitutional monarchy even though they were opponents of absolutism. In a word all the older writings had to be swept aside and provision made for a new political gospel which would embody the ideals of the men who had placed William and Mary upon the throne.⁵ Such a political gospel was provided by the writings of Locke.

2. *The writings of John Locke* : The writings of Locke rank among the highest achievement of the human mind. In the political field his principal works are : 'Letter Concerning Toleration' was published in 1689 in Latin. The same year the English version was published anonymously. In 1690 his greatest work, the 'Essay Concerning Human Understanding' appeared. In this work, Locke concludes that knowledge is neither innate nor revealed, but consists of the perception of relations among ideas. And ideas are all born of experiences without which they are but empty words. Experience, however, is such a treacherous jade, presenting herself in so many deceptive guises, that we can be sure, not of rational finalities and

4. John Bowle, *Western Political Thought*, p. 367.

5. W. M. McGovern, *From Luther to Hitler*, p. 82.

certainties, but only of reasonable probabilities. The 'Two Treatises on Civil Government' was published in 1690. It provided the theory for the Glorious Revolution which had been safely accomplished a year before its publication. It remained a gospel of freedom, both in France and England for at least two generations after its appearance. According to Prof. C. E. Vaughan, Locke's Treatise is a gun with two barrels: the one directed against Filmer and Divine Right, the other against Hobbes. The work exists in two parts. In the former the false principles and foundations of Sir Robert Filmer and his followers are detected and overthrown. The latter is an essay concerning the true original extent and end of civil government. 'A Second Letter on Toleration' was published in 1690, 'A Third Letter on Toleration' was published in 1692, 'A Fourth Letter on Toleration' was published posthumous and 'Some Thoughts Concerning Education' was published in 1693. In this he pleaded for methods that would lead the pupil to a rational discernment of truth. His four Letters on Toleration are the true representatives of his mind and soul. In these letters Locke teaches and preaches the lesson of toleration. The predecessors of Locke had advocated toleration on ground of fair play, public policy, or sectarian interest. But to Locke all these pleas appeared to be insufficient. The real justifications for toleration to Locke appeared in the frailty of the human intellect and the limitations of human understanding. Men, he contends, may think that they are right, but they cannot know it. His essays were at once accepted as the authoritative expression of the theoretical basis of the new system of government. Though they were composed as party pamphlets to defend the new order, Locke's essays were destined to become and remain classics in the literature of political philosophy. Quoted and requoted by later writers, they served as models for succeeding thinkers of the liberal traditions, and inspired the leaders of both the American and French revolutions.⁶

3. *The political philosophy of Locke*: Locke's political philosophy can be rightly termed as the voice of freedom of the 17th century enlightenment. Rationalism is its very core and it may be epitomized as a superlative appeal to reason. Rationality was at once the keynote of his life and the central purpose of all his mental questioning.⁷ He is a mirror in which Englishmen may find

6. *Ibid.*, pp. 82-83.

7. C. C. Maxey, *op. cit.*, p. 250.

themselves faithfully reflected.⁸ He fixed and determined the character of Anglo-Saxon thought in philosophy and culture, looking back on Bacon and Hooker and, ultimately, on the other Bacon—Roger Bacon, and on Scotus, and looking forward to Jefferson, Bentham, the Mills and William James.⁹ Liberalism in the real sense of the term began with John Locke. He preached to organise society in accordance with its own truth, and condemned the dogmatic and despotic tendencies of the age. In the *Journal* of May 16, 1681, he writes, "The three great things that govern mankind are Reason, Passion, and Superstition ; the first govern a few, the two last share the bulk of mankind, and possess them in their turns ; but superstition is most powerful and produces the greatest mischiefs".

The position of Locke, which is of incomparable importance as the philosophic basis of the distinctive culture of the Anglo-Saxon world, can be summarized in a series of these, not easily grasped by the inattentive mind, but highly important to understand.¹⁰ First, then, Locke maintained that men, not even entering into the consciousness of Adam, cannot be held answerable for the supposed sin of Adam ; nor should men be counted cursed ; since curse depends upon responsibility and responsibility is individual and for conscious acts. Secondly, Reason, supplied with content by new individual experience, and not by innate, racial or divinely implanted intuition, is able to control the natural inclinations ; and in that power of control lies the freedom of man. Thirdly, the emotions should be controlled by intellectual judgment and it is the distinction and glory of man to be able so to control them. Fourthly, Rational Judgment is founded on probability inferred from experience and not on dogmatic certitude, and that which arrogantly lays claim to Absolute Truth in empiric matters by that act shows itself probably False. Fifthly, Human Judgment being of its nature approximate, unclear but yet capable of assessing approximations of truth, it is unjust that any man, prince, president or Pope, who desires freedom to announce his own supposed infallible conclusions, should refuse like toleration to his neighbour. Sixthly, man has a natural impulse to freedom, and a right, in an uncertain world, to liberty, in opinion and speech, to seek the truth in his own way. Seventhly, every right of Civil Government over men depends upon a prior right conferred upon government by free men, unanimously

8. C. L. Wayper, *Political Thought*, p. 68.

9. George Catlin, *A History of the Political Philosophers*, p. 282.

10. *Ibid.*, p. 286.

constituting a civil society and, by majority, authorizing Government to act in particulars. A government resting upon such consent is alone free, and all else is despotic.¹¹ In a scientific systematic and rational manner he developed his arguments in a coherent system of thought. Some of the threads used by him in this process may be discussed as below :

(a) *Locke's conception of human nature*—Locke's conception of human nature is summed up in his 'Essay on Human Understanding'. Like Hobbes, he does not adopt a cynical view of human nature. The author of the *Leviathan* was convinced that man was irrational because in his action he is motivated by impulse and passion rather than by reason. Locke, on the other hand, believed that man was rational as reason was the dominant factor in individual and social life. He held that men were basically decent, orderly, social-minded, and quite capable of ruling themselves. Locke was also convinced that "naturally and innately men are more or less equal". As he writes in the pages of his 'Civil Government' :

"All Men are naturally in a state of equality, wherein all the power and jurisdiction is reciprocal no one having more than another ; there being nothing more evident than that creatures of the same species and rank, promiscuously born to all the same advantages of nature, and the use of the same faculties, should also be equal one amongst another without subordination or subjection . . . The natural liberty of man is to be free from any superior power on earth, and not to be under the will or legislative authority of man, but to have only the law of nature for his rule".¹²

It is, thus, obvious from the above that "every individual counts as one and is, therefore, normally, the equal of every other, that he has rights which belong to him simply as a human being and not because of his pre-eminence in strength, wealth or position, and which all other individuals ought to recognise, just as he ought to recognize theirs".¹³ In this context it is quite appropriate to say that what Locke is stating is, in a word, the view which Kant at the end of the 18th century, formulated in his 'categorical imperative'.¹⁴

Locke, however, is willing to admit that some men are a little wiser, or a little stronger, or a little more industrious than others,

11. *Ibid.*, pp. 286-287.

12. *Civil Government*, II, 4, IV, 21, p. 152.

13. W. T. Jones, *Masters of Political Thought*, Vol. II, p. 157.

14. *Ibid.*, p. 157.

but to him the differences between men are far less striking and far less important than their similarities. He was certain that many of the differences which seem to exist between men are arbitrary and artificial rather than natural.¹⁵ It is, thus, clear that Locke was a strong environmentalist in the sense that he believed that a man's mental and moral ability are largely the result of the experiences, the sensations, or the education to which he is exposed. When, therefore, one man appears wise and another stupid, it may well mean nothing more than that one man has had a better upbringing than the other.¹⁶

But to Locke, men are not only rational, orderly, decent and social, they are essentially utilitarian also. According to Locke, the object of all human action is to substitute pleasure for pain. "This is the view of human nature which was copied by Bentham, which was later worked out more thoroughly and called 'psychological' egoistic hedonism".¹⁷ In the words of Locke, "What has an aptness to produce pleasure in us is what we call good, and what is apt to produce pain in us we call evil". This pleasure or utility, in the case of Locke, can be explained as one of the bases of the covenant. The covenant gives peace and harmony to individuals and ensures protection of their rights which makes their life worth living and worth enjoying.

But the question can be asked as to why Locke, as opposed to Hobbes, takes a very optimistic and bright view of human nature? What are the reasons of the essential humaneness of his view of human nature? In this connection we may mention, firstly, the influence of his father. In her account of his life, Lady Masham, the friend of Locke, wrote that he never mentioned (his father) but with great respect and affection. His father used a conduct towards him when young that he often spoke of afterwards with great approbation. It was the being severe to him by keeping him in much awe and at a distance when he was a boy, but relaxing still by degrees of that severity as he grew up to be a man, till, he being capable of it, he lived perfectly with him as a friend. And I remember he has told me that his father, after he was a man, solemnly asked his pardon for having struck him once in a passion

15. W. M. McGovern, *op. cit.*, p. 83.

16. *Ibid.*, p. 83.

17. C. L. Wayper, *op. cit.*, p. 69.

when he was a boy.¹⁸ Another factor which influenced the Lockean conception of human nature was the company of his friends. There is no doubt that the existence of his wide circle of warm and enduring friendship must itself in turn have contributed to his sympathetic view of human nature. Everywhere he went, he made friends—at Westminster School; at Christ Church, Oxford, where he was educated and where he subsequently held a studentship, in his long career in the service of the Earl of Shaftesbury who looked upon him as friend and confidant, rather than as a paid employee, in Holland, where he spent the years of his exile; at Oates, the Masham place, where he passed the last years of his life happily and peacefully, surrounded by a circle of devoted friends.¹⁹ Since Locke had the good fortune of enjoying the company of decent, lovable, amiable, and sympathetic friends, it was natural and inevitable for him to take a very bright and optimistic view of human nature. The third factor which influenced his concept of human nature were the events of the Glorious Revolution of 1688. In this year the people in effect dismissed one sovereign for incompetence and, with a minimum of disturbance, elected another who, as they believed, would perform his proper functions efficiently and whom they could trust to recognize the rights and privileges which they claimed for themselves. The accession of William and Mary was thus a triumph for democracy and for the thesis that sovereigns rule by the consent and for the benefit of their subjects. It seemed to Locke to vindicate his belief in the ability of the people to rule themselves. It completely disproved Hobbes's conception of man as blindly irrational and utterly and narrowly selfish. It showed men to be possessed of a social sense which naturally brings them together, so that the pleasure of force is not required to keep them from each other's throats. It was correct evidence of the fact that men are sufficiently reasonable to see that their best interest lies in mutual and peaceful cooperation and of the fact that they have a sufficiently rational will to act in accordance with what they see to be good.²⁰ Human beings to Locke, thus, appear to be reasonable, cooperative, social and sympathetic. Human nature, to him, is marked with love, sympathy, kindness and goodwill. It is with these qualities that men, according to Locke, lived in the state of nature prior to their entrance into the civil society.

18. This account is taken from *The Life of John Locke* by R. H. Fox Bourne, quoted by W. T. Jones, *op. cit.*, p. 153.

19. Quoted from W. T. Jones, *op. cit.*, pp. 153-154.

20. Quoted from W. T. Jones, *op. cit.*, pp. 154-155.

(b) *The state of nature*—Locke's ideas on the state of nature are to be found in his 'Second Treatise'. Here he also discusses his theories of natural rights and the social contract. The state of nature to Locke is entirely different from that of Hobbes. He invents a state of nature which is more reminiscent of Eden and the poetic Golden Age.²¹ The Hobbesian state of nature was really a state of war, with every man's hand raised against his fellows. Locke recognised the state of nature as normally peaceful because of man's social instinct. The original state of nature, he tells us, was "a state of perfect freedom to order their actions, and dispose of their persons and possessions as they think fit, within the bounds of the law of nature, without asking leave or depending upon the will of any other man".²² Furthermore, it was "a state also of equality wherein all the power and jurisdiction is reciprocal, no one having more than another".²³ In this he is in perfect agreement with Hobbes. The state of nature as defined by Locke is a "state of peace goodwill, mutual assistance, and preservation". Locke, like Hobbes makes a mention of the natural rights and natural law in the state of nature. But in his case both these doctrines are radically changed and in doing so he went back to a position similar to that occupied by Grotius. The state of nature, says Locke, has "a law of nature to govern it which obliges everyone, and reason which is that law, teaches all mankind who will but consult it, that being all equal and independent, no one ought to harm another in his life, health, liberty or possessions, for men being all the workmanship of one omnipotent and infinitely wise Maker, all servants of one sovereign Master, sent into the world by His order and about his business.... And that all men may be restrained from invading other's rights and from doing hurt to one another, and the law of nature be observed which willeth the peace and preservation of all mankind, the execution of the law of nature is in that state put into every man's hands, whereby everyone has a right to punish the transgressors of that law to such degree as may hinder its violation".²⁴

From this law of nature, which governs the state of nature, men derive certain of their natural rights to life, liberty and property

21. George Catlin, *op. cit.*, p. 289.

22. John Locke, *Two Treatises of Civil Government* (Every man's Library), 1924, p. 118.

23. *Ibid.*, p. 118.

24. *Ibid.*, pp. 119-20.

and as each man possesses these rights, it is obvious that no man may rightfully interfere with the life, liberty or property of another. The law of nature, thus, not only accords men their rights, it also imposes upon them their duties. To Locke, as to Grotius, natural law is the moral law, established by God, and discoverable by reason. The state of nature, thus, in which men live and have acknowledged rights and duties, is moral and social in character. Hence it is wrong to think of it as Hobbes did, as a state of war. It is not a state in which life is normally solitary, poor, nasty, brutish and short. It is, in fact, an anarchist's paradise. Though not a condition of violence and anarchy, Locke's state of nature, as mentioned above, fell considerably short of being a condition of Arcadian bliss.²⁵

The state of nature, although a state of bliss, yet it was not free from defects and inconveniences. Although not a state of war, but unfortunately, it was a state in which peace was not secure. It was constantly upset and disturbed by the "corruption and viciousness of degenerate men". It was, therefore, a "condition which, however free, is full of fears, and continual dangers". Locke is sufficiently optimistic to believe that in ordinary circumstances mankind will obey natural laws even in the absence of force or sanctions. But what actually happened that offenders arose who broke the law by injuring their fellowmen and seizing their possessions. Since there were no special officials charged with the punishment of breaches of natural law, each man involved in such breaches, started taking law in his own hands. This situation brought about injustice and confusion. It is this fact which made the state of nature inconvenient and vexatious. According to Locke, there were three fundamental defects of the state of nature for which people could not endure it for a long time. Firstly, there was no 'established, settled and known law' in the state of nature. Secondly, there was no 'known and impartial judge'. Thirdly, there was no executive power to enforce just decisions. The existence of these shortcomings in the state of nature made life miserable and unbearable. Thus, Locke had to come to the same logic which was put forward by Hobbes. Hobbes, therefore, is more logical and scientific than the author of the 'Civil Government'. Conceiving that the remedy lay in the formation of civil government, men in the state of nature, according to Locke, voluntarily compacted and agreed to join and

25. C. C. Maxey, *op. cit.*, p. 225.

unite into community for their safe and comfortable living. But before we examine the nature of the social pact, a word by way of criticism of the state of nature will not be out of place here.

The state of nature as pointed by Locke is not a fact but a fiction. It cannot be supported by any historical arguments, or evidences. It is not consistent with facts. Comparing his glowing picture of original righteousness with the harsh reality as we spell it out from such facts as history has handed down to us, from such inferences as the observation of modern travellers enable us to draw. In Locke's picture, the earliest stage of man's history—call it the state of nature, call it primitive anarchy—is not merely an age of innocence. It is an age of conscious obedience to a divine law which without outward sanction not only enjoins the duty of justice as an abstract ideal, but even lays out that ideal into exactly the same practical precepts as would have commended themselves to the most enlightened minds of the 17th century. The history of men, on this showing, is a history not of progress, but of backsliding. For not only is the ideal of seventeenth—or for that matter, of the twentieth century, as an operative and generally accepted ideal, below that of the state of nature : but in the mass, men fall still further short of its political attainment.²⁶

Again, Locke is left face to face with two difficulties which he makes no attempt whatever to solve. How is it logically possible that the ideal being the minds naturally Christian of the opening pages of 'Civil Government' should become the grasping hucksters, the quarrelsome tyrants and rebels of the close ? And assuming such a change to have come about, how is it possible to deny that it is retrogression and not progress, that civil society is not a blessing but a curse ?²⁷ These are two questions to which the author of the 'Civil Government' does not give even the semblance of an answer.

The qualities, which have been attributed to men living in the state of nature by Locke, are not to be found anywhere in the primitive communities, if primitive communities can be compared with men living in the state of nature. Such qualities as 'mutual assistance, goodwill, and preservation' have developed in men with the advancing social progress. To say that man in the state of nature lived with all these refined qualities, will be the height of

26. C. E. Vaughan, *Studies in the History of Political Philosophy*, Vol. I, 1939, p. 162.

27. *Ibid.*, pp. 160-61.

stupidity. According to T. H. Green, the greatest flaw of the theory is not that it is unhistorical, but it implies the possibility of a certain system of rights independent of the state. To explain the existence of rights without recognition and sanction is highly absurd and utterly foolish.

Again, the governing force of the state of nature, which is the law of nature, is not an ordinary law but a counsel of perfection. It is written in human breast which teaches men of the state of nature, "Do unto others as you want others to do unto you". It is a law of reason that teaches men to differentiate between right and wrong. It is a law that grows with the gradual moral growth of men. To talk of the existence and practice of the law with all its specific commands and prohibitions, is to put the cart before the horse. The fact of the case, however, is that Locke is not so much interested in the historicity of the state of nature and of the social contracts, as he is interested in the moral relation which he thought out to exist between men. By saying, for instance, that in a state of nature men are free and equal he does not merely mean that there was a time in the past when men were in fact free and equal; he means rather to assert that they ought to be free and equal. In the second place, however, the state of nature is not merely a general description of how men should behave; it is a description of how men should behave if there were not, as in fact there is today, political authority.²⁸

Going back to our original discussion, let us now examine the Lockean concept of the law of nature which was upholding men in the state of nature and whose weakness made the state of nature a state of inconvenience and misery.

(c) *His conception of the law of nature*—The controlling link in the chain forged by Locke is manifestly the law of nature. It is that which determines the character both of the state of nature and of the civil state which eventually follows. What the law of nature is to him, we have already explained briefly in connection with the state of nature. It is a law that does not materially differ from that of Hobbes. Although the Hobbesian conception of the law of nature in the beginning was essentially that of brute force, it was just a law of the sword, which Hobbes later for the sake of his convenience changed into a law of peace. The law of nature, to Locke, is not a natural impulse. It is rather moral law based on

28. W. T. Jones, *op. cit.*, p. 164.

reason to regulate the conduct of men in natural conditions. One of its main purposes is equality but not in intellect, physical might and possession, but in personal liberty and independence. Locke defines it as a dictate of right reason which obliges everyone and teaches mankind who will but consult it, that all beings are equal and independent, no one ought to harm another in his life, health, liberty and possession. It is a law which proclaims itself to the heart of every individual, not an infant or an idiot; a law which owes nothing to human institutions, social or political, but to which, on the contrary, those institutions owe everything that gives them any worth. It is a law which not only commands man to love his neighbour in general, but which also lays itself out, so that he who runs may read in a detailed code of specific duties covering the whole field of his conduct and governing his whole life in whatever circumstances he may find himself placed. And we ask what is the general nature of this law. Locke is at once ready with an answer. It is a law of goodwill, mutual assistance and preservation: in one word, a 'law of peace'; a law which might have been dictated and if we may believe the scriptures, as in fact dictated by the Prince of Peace.²⁹

This very law which was a determining body of rules for the conduct of men in their natural conditions, the very author and originator of natural rights which was also the arch of the covenant, was not free from defects. This law of nature, the very source of all blessings, was found on experience to fail man at the very moment when he stood most in need of it. Secondly, every man is ready to apply its restraining canons to the acts of others, he is not quite so ready to apply them equally to his own. Thirdly, even when a man's will is honestly set on doing justice to others, he can never be sure that his judgment is not wrapped by unconscious selfishness; by the bias to which all men are subject in favour of themselves. No man with a sensitive conscience will care to be judge in his own case. Lastly, even supposing both these conditions to be satisfied that his will is perfectly good and his judgment perfectly sound, he can have no assurance that, in the absence of any settled law, he will be able to make justice triumph. A law which is not written, a law that has no sanction behind, a law which is merely the dictate of right conscience and the principle of morality, cannot be regarded a law in the real sense of the term. It is because of these drawbacks of the law of nature that the natural rights of men became unsafe and

29. C. E. Vaughan, *op. cit.*, p. 158.

insecure. Variety in manner and method of the enforcement of justice inevitably cause confusion and uncertainty in life, and there is need of a known and certain rule in accordance with which the rights of individuals are to be protected and maintained. It is to secure such a rule that civil society was instituted through the social pact.

(d) *The social contract*—To get rid of the state of nature which had become a state of inconvenience, people make a contract to enter into a Civil Society. This is a contract of all with all. By the first contract, the civil society is constituted. By the second contract, the government comes into existence. This contract is the step to the drawing up a trust which creates government as only a fiduciary power to act for certain ends. The community is thus both creator and beneficiary of the trust. But as a beneficiary of the trust, the community makes no contract with the trustee who accepts a unilateral obligation towards it. The acceptance of the trust by the government is at the same time its undertaking not to exceed the limits laid down by the trust.

It is to be noted that the essential basis of the contract in the case of Locke is consent. He himself writes at one place in the *Civil Government* that no man can be incorporated into the commonwealth without his consent. In this connection, Locke discusses two types of consents: (1) formal or active consent, (2) implied or tacit consent. If the consent is implied or tacit, the individuals, according to Locke, are at liberty to depart and to organize and to begin a new order in any part of the world they can find free and unpossessed. But if the consent is formal or expressed, they are perpetually and indispensably obliged to be and remain unalterably a subject to it. The Lockean contract is based on the expressed and formal consent and, as such, like that of Hobbes, it remains essentially irrevocable. He who has signed it "can never again be in the liberty of the state of nature". Freedom to depart, so long as no express undertaking to join the commonwealth has been given, obligation to remain until death brings release, from the moment it has been given, such is the social contract as it presented itself to Locke".³⁰ It is permanent and indissoluble like that of Hobbes and rests on a much firmer sanction.

Another, a very significant feature of this contract, is that like Hobbes, men do not surrender their rights which they possessed in

30. C. E. Vaughan, *op. cit.*, p. 140.

the state of nature. It is, rather, for the safety and protection of these rights that the authority is constituted. All that the men agree to is to "give up everyone his single power of punishing to be exercised by such alone as shall be appointed to it amongst them, and by such rules as the community, or those authorised by them to that purpose, shall agree on". Hence the contract is no more than a surrender of certain rights and powers whereby man's remaining rights will be protected and preserved. It is, then, not general as with Hobbes, but limited and specific.³¹ The contract by which men pass from the state of nature to the civil state is not an instrument of enslavement but a charter of freedom for the individual who, so far from surrendering all his powers to a despotic monarch or a despot oligarchy, surrenders so much, and only so much, of them as shall provide security, hitherto lacking in fact though not in right, for the free untrammelled exercise of all the rest.³²

Another significant feature of the Lockean contract is that it ensures to the individuals the right of revolution against despotic and tyrannous government. The purpose of the government is to ensure justice and protect the natural rights of the individuals. But if the king betrayed the trust which had been placed in him, if he tried to assume more power than that which had been delegated to him, the people according to Locke have a perfect right to revolt. He was also willing to admit that even Parliament, consisting of the elected delegates of the people, might at times become tyrannical and so the right of rebellion was extended to cover this situation as well.³³ "Though in a constituted commonwealth...there can be but one supreme power which is the legislative...yet the legislative being only a fiduciary power to act for certain ends, there remains still in the people a supreme power to remove or alter the legislative, when they find the legislative act contrary to the trust reposed in them".³⁴ The decision of creating a revolution against the king is to be taken by a majority of legislature; and the decision of making a revolt against the legislative body is to be taken by the community as a whole. Thus the creation and recreation of government entirely depend upon the consent of the people. Nothing is done without taking the people into confidence. According to Prof. Laski, "It gave to the principle of consent a permanent place in English

31. C. L. Wayper, *op. cit.*, p. 140.

32. *Ibid.*, p. 133.

33. W. M. McGovern, *op. cit.*, p. 86.

34. J. Locke, *Civil Government*, sec. 149.

politics. It is the age which saw the crystallization of the party system and therein it may perhaps lay claim to have recognized what Bagehot called the vital principle of representative government".

The theory of contract, as applied to the relation between the governor and the governed, was intended to be counter blast to the theory of Divine Right. It roughly stripped the king of the halo of sanctity, of mystical majesty, cast around him by seventeenth century theology. It reduced him at one stroke to a position of equality with his subjects. The *Essay of Civil Government* is, in fact, "an assault not only upon the sovereignty of Leviathan, but upon the very idea of sovereignty. Its shafts are aimed not merely against one particular form of sovereignty, the most oppressive and the least endurable, but against any form, even the mildest, that sovereignty can assume".³⁵ The practical effect of this interpretation is to restore the theory of contract to the purposes for which it was originally framed: to overthrow the portentous fabric so ingeniously conjured out of it by Hobbes; to sweep away the absolute sovereignty of the whole community—a sovereignty, however, strictly limited by the prior claims of the individual in its place.³⁶

(e) *The authority and the separation of powers*—But what is the kind of authority that emerges out of the social contract? A limited authority—whether it is an authority of the legislature or that of the executive, is the reply of Locke. He is deadly against the theory of absolute monarchy. "I will not deny, that if we look back as far as history will direct us, towards the original commonwealths, we generally find them under the government and administration of one man".³⁷ And this man, more often than not, is an absolute sovereign. But this simply means that things are not often as they ought to be. Might never makes right. No matter how long or how completely one man actually exercises power over others he is never morally justified in doing so unless they consent to his authority. Since a political society is a moral society, we simply cannot call such a society political.³⁸ Hence absolute monarchy to Locke is inconsistent with the Civil Society. Locke accepted the well known liberal principle that all rulers and magistrates derive their power and authority from the people. He rejected outright the notion that kings rule by divine appointment. He also held

35. C. E. Vaughan, *op. cit.*, p. 134.

36. *Ibid.*, p. 133.

37. *Civil Government*, VIII, 105.

38. *Civil Government*, VII, 90-93.

the view that force can never be the basis of a just and legal government. The state has been framed by the people through the social pact. The state by a majority decision can institute any governmental organs it chooses. In civil society, Locke makes a mention of the existence of three powers. There is first of all the legislative, which he calls the 'supreme power of the commonwealth'. Secondly, there is the executive, which includes the judicial power. Thirdly, Locke recognizes what he calls the federative—the power that makes treaties, that which is concerned with the state's external relations. As an additional bulwark against despotism Locke invoked the doctrine of the separation of powers.

"It may be too great a temptation to human frailty to grasp at power, for the same persons who have the power of making laws to have also in their hands the power to execute them". The legislative function is to frame and pass laws; the executive function is merely to see that the laws are put into operation; the federative function is the conduct of foreign affairs. This is the principle of separation of powers, which Locke enunciated and which enshrined itself in the American Constitution. The doctrine in the American Constitution is usually understood as implying that none of the powers is superior to any of the others, whereas for Locke the legislature is unquestionably the superior power. The doctrine of separation of powers, whose outlines were suggested by Locke, was thoroughly developed by Montesquieu.

Although Locke insisted that the executive and federative functions are essentially separate and distinct, he was willing to permit a single person to perform both functions, and such a person might well be an hereditary monarch. Although the federative and executive functions could be united, but he held that there was a vast gulf between these functions on the one hand, and the legislative functions on the other. If the citizens by a majority of vote so wished, it could delegate both executive and legislative functions to a single individual. Hence absolute monarchy was perfectly legal and legitimate as long as it originated in the will of the community, but Locke obviously felt that such a union of governmental organs was extremely unwise and might well lead to disaster.

The form of government, to Locke, is a secondary matter. He substantially follows Hobbes in his classification, with some differences of detail. Thus he says, "According as the making of laws is

placed such is the form of commonwealth".³⁹ If the majority in whom the whole power of the community is placed at the dawn of civil society, retain the legislative power in their own hands and execute those laws by officers of their own appointing, the form of government is perfect democracy; if they put the power of making laws into the hands of a few select men and their heirs or successors then it is an oligarchy; if into the hands of one man, then it is a monarchy, hereditary or elective. Whatever may be the form of government, but its chief function is to safeguard the natural rights of men, life, liberty and property. The doctrine of 'natural right to property' was to have a profound effect upon later generations, and hence, it deserves a special consideration.

(f) *Locke's theory of property*—Political philosophers of all ages have expressed their views on the question of property. Its proper regulation, Plato considered as indispensably necessary for the health of social organism. Aristotle regarded it as something very necessary for the development of moral personality. Private possession and common use was suggested by him as a remedy against the evils of this institution. In the Middle Ages the ownership of property was universally held to imply duties as well as rights and if the duties were not fulfilled, the rights were forfeited. It was agreed everywhere that the property-owner must provide for the support of the poor; in fact, he must be ready to share his goods with the needy, even if they were not in actual destitution. Majority of the medieval thinkers held that the possession of property was a trusteeship rather than outright ownership, and the trusteeship would be forfeited if the owner neglected his social obligation. But with Locke, in the 17th century, these ideas are bidden a goodbye. Property ownership became ownership by inalienable right. It was claimed that a property owner had the right to do as he pleased with his own. He asserted that a man has a natural right to that with which he has mixed the labour of his body as he does by enclosing and tilling his land. According to Prof. G. H. Sabine, "Apparently he was generalising from the example of colonists in a new land like America, but it is probable that he was influenced also by a strong sense of the superior productivity of private agricultural economy as compared with the communal tillage of a more primitive system. Locke believed that greater production would raise the

39. Cf. *Civil Government*, Book II, Chap. X.

standard of living throughout the community".⁴⁰ We do not know what was really the consideration in the mind of Locke with regard to this question. Whether greater productivity through private possession was his concern, or he wanted to justify colonization or the landed aristocracy of the Whig party. But it is, however, definite that he stood through and through for the right to private property, which arose because of man's labour put into it. "It is labour indeed that puts the difference of value on everything", and that "whatever a man removes out of the state that Nature hath provided and left it in, he hath mixed his labour with it, and joined it to something that is his own, and thereby makes it his property". Locke's theory was, thus, responsible for the later development of labour theories of value in classical and socialist economics.⁴¹ To Locke, the very purpose of men in constituting a political state was the preservation of their property. "The great and chief end, therefore, of men uniting into commonwealth, and putting themselves under government is the preservation of their property, to which in the state of nature there are many things wanting".

It is, thus, obvious that right to private property is a right which each individual brings to society from the state of nature as he brings the physical energy of his body. Society, therefore, does not create this right. It is the inalienable right of the individual. The duty of the state is to watch zealously over it, a sacred trust—committed to its care, inviolable, unalterable, the very arch of the covenant of the commonwealth. To regulate it, to redistribute it, and to nationalise it would be the grossest of usurpation, the most flagrant of wrongs. It can be regulated only to the extent that it is necessary to give it effective protection. It is an indefensible claim both upon society and government. It is a claim that cannot be justly set aside as society itself exists to protect it. The inevitable effect of it all is to set up a tyranny of the individual in one of the most deep-reaching, and, therefore, one of the most odious forms which it is capable of taking the tyranny of the economically strong over the economically weak, of the rich over the poor. Locke's views on the question of property are most unsatisfactory. Logically he should have stood for the natural right of all to property. But, in reality, he was upholding the rights of new clans of power. He personified the effort and exertion with the positive standards of morality.

40. G. H. Sabine, *A History of Political Theory*, p. 446.

41. *Ibid.*, p. 446.

(g) *Individualism of Locke*—Locke was a thorough-going individualist. To quote Prof. C. E. Vaughan, "Everything in Locke's system revolves round the individual, everything is disposed so as to ensure the sovereignty of the individual". His theory of government is limited by the prior rights of the individual. His limited government cannot command anything against the public interest. He was opposed to all governmental paternalism. He considered the functions of the state entirely negative. The function of the state was to punish crime and thereby preserve the natural rights of each of its citizens. The state to him is at the most no more than a limited liability company. The real sovereignty resides in the individual. The individual occupies a supreme place in his scheme of politics. Nothing is done without the consent of the individual. Locke regards consent as the very foundation of the state. As he writes, "Nothing can make a man a member of any commonwealth but his actually entering into it by positive engagement and express promise and contract". The creating, maintaining and dissolving of government is done through the consent of the individuals. The individual enters the civil state with his moral sense fully trained, his moral code perfectly articulated, the individual owes nothing to the state on that side of the account. For the state to meddle with either of them is an unwarrantable impertinence. Thus, the positive functions were completely denied to the authority of the state. Even more important was the advocacy of Locke that neither the legislature nor the community was authorised to take any part of his property save by his own consent. His individualism reaches its climax in the recognition of individual rights to revolution against despotic and autocratic government. Even Green, the English idealist, could not escape the influence of his most enlightened liberalism. Although his individualism played a very significant role in ensuring the rights and liberties of the individuals, yet in the succeeding years this extreme individualism, particularly in the economic field, proved to be very pernicious and harmful. "The theory of individualism in its application to industry, to the right of labour, to the relation between labour and capital, individualism had done more harm in a century that could be undone in generations. Locke and economists were responsible for the mischief. It was left for teachers of a wider and more human vision—Rousseau, Saint Simonions, Carlyle and Ruskin—to repair it".⁴²

42. C. E. Vaughan, *op. cit.*, p. 203.

(h) *Place of Locke in the history of political ideas*—Although John Locke was not an original thinker, still he occupies a very significant place in the history of Western Political Thought. The honour of his age, Locke was certainly the instructor of the future. The salient features of the American political system, such as the inviolability of property, limited governmental powers, and inalienable right of the individual are traceable to the writings of John Locke. His two Treatises of Government, in the words of Parrington, “became the textbook of American Revolution”.⁴³ He exercised a tremendous influence on American Declaration of Independence and the French Revolution. It was from his writings that Diderot, Voltaire, Rousseau and other leaders of the French Revolution derived much of their fundamental thought. But Locke is not only an exponent of the revolutionary, but also of the scientific attitude in political science. He is the forerunner not so much of Marx—and certainly not of Rousseau—as of Bertrand Russell.

The principal feature of Locke’s theory is the conception of the state and its functions as limited and conditioned by certain moral restrictions, certain inherent human rights which ought to be implemented. It went rather to restrain the community from interfering with what were regarded as individual rights and interests than to give the state a new form, or to pour new life into the old one. For this reason he is rightly regarded as the founder of philosophic liberalism in England. To quote Prof. Laski, “Hobbes worked with an impossible psychology and sought no more than the prescription against disorder. Burke wrote rather a textbook for the cautious administrator than a guide for the liberal statesman. But Locke saw that the main problem of the state is the conquest of freedom and it was for its definition in terms of individual good that he above all strove”.

According to Prof. W. A. Dunning, “The most distinctive contribution of Locke to political theory is the doctrine of natural rights”.⁴⁴ It was not only most distinctive but most dynamic also. “Every constitutional limitation on sovereign power, every constitutional safeguard of individual liberty, every security accorded to property, every barrier against arbitrary and unlimited authority, every declaration of rights in the written constitutions of the last two centuries is predicted upon his simple but stupendous postulate,

43. George Catlin, *op. cit.*, p. 298.

44. W. A. Dunning, *Political Theories : Ancient and Medieval*, p. 364.

which made individualism an invincible political fact and breathed vitality into the wishful creed of *laissez-faire*".⁴⁵ The germs of the theory of *laissez-faire* are to be traced to his writings. The state, to him, like Dr. Bosanquet did not appear as "guardian of the whole moral world", or like Hegel as the "march of God on earth". To Locke, the state is little more than a negative institution, a kind of gigantic limited liability company.

Locke is the true progenitor of Benthamism. In his ethical inquiries it was always the happiness of the individual that he sought. "That which is for the public welfare" he said, "is God's will and therein we have the root of that utilitarianism which as Maine pointed out is the real parent of all 19th century change. His philosophy greatly expanded the psychological explanation of behaviour, making it depend upon the pursuit of pleasure and the avoidance of pain as its sole motives. In place of the rational standard of inherent good sought by the theory of natural law it put a utilitarian theory of moral, political and economic value".⁴⁶

He was the first to advocate the theory of separation of powers which Montesquieu took it for the root of every liberty and Blackstone repeated the pious words of Frenchman and they went in company to America to persuade Madison and the supreme court of the United States that only the separation of powers can prevent the approach of tyranny. To Locke, the government in substance is a trustee and trustees abuse their powers; let us therefore divide it as to parts and person that the temptation to usurp may be diminished. His philosophy of individualism, the doctrine of popular sovereignty and the conception of constitutional government based on the consent of the governed and implemented by majority rule are still the fundamental and realizable doctrines of rational political science.

Locke, however, is not free from defects. It is not difficult to reveal his ignorance. He regarded moral laws as finished and finite and their study as an exact science. But at the same time he was ready to see them as merely temporary and conditional to the relative products of different stages of society. It involves a great contradiction and confusion which Locke could never be able to remove. Again, his psychological egoistic hedonism is incompatible with his utilitarianism. If, as Locke says, men can only desire their own

45. C. C. Maxey, *op. cit.*, p. 261.

46. G. H. Sabine, *op. cit.*, p. 457.

happiness, it is absurd and useless to suggest that the general happiness, is desirable. Again, his definition of property is essentially mischievous and pernicious in effect. "The grass my horse has bit, the turf my servant has cut, and the ore I have digged in any place where I have a right to them in common with others, become my property without the assignation of anybody". Ritchee's comment, "My horse and my servant are thus equally with my labour the means by which I acquire property ; so that the capitalist employer of labour would, according to this clause, be fully entitled to the entire product created by his servants, if he can manage to get it", is justified.

CHAPTER 41
JEAN JACQUES ROUSSEAU
(1712-1788 A.D.)

"Rousseau's influence was dynamic and ubiquitous. The French revolutionaries and later the rest of Europe attempted to translate his political theories into history. His early examination of the state of nature and natural rights led him to a fierce attack on the existing systems of government. He saw in them the epitome of the viciousness which arose from the establishment of property and the desire for exploitation inherent in unregenerate man. His eloquence in condemning the decadence of society fired the discontented citizens of France to further efforts to break down the old order and to make room for the new".

—Phyllis Doyle

1. *Life and background*: The history of Rousseau is the history of sentimental tramp. He was the brilliant apologist of the undisciplined. His commentators suffer from the disadvantage that it shocks their moral consciousness to admit that a character that has won general acclaim can, in fact, be so despicable. This contemptible character, sodden with his own conceit, described by

honest Dr. Johnson briefly as a rascal, was nevertheless as one of the most influential writers in the history of human thought. Rousseau is at once a famous political thinker and a disconcerting figure in the annals of political thought, but his conventional habits and the vulgarization of ideas to which his writing contributed, cannot obscure his remarkable originality. He was a neurotic genius, a musical bohemian, with a flair for generalization combined with flashes of brilliant statesmanship.¹

Rousseau, the divided personality, between the noble and the base, was born in Geneva on June 28, 1712. His father Isaac Rousseau started his life in the respectable trade of watchmaker but abandoned the profession to become a dancing master. Shortly after his marriage to Rousseau's mother he left her to go to Constantinople. "She urged him to return". Rousseau tells us in his Confessions, "He abandoned everything and came home. I was the sad fruit of this union. Ten months after I was born, ill and weak, I cost my mother her life, and my birth was the first of my misfortunes".

He was spoiled by his widowed father ("No one ever forced me ; no one ever crossed my will"), who kept him awake all night reading aloud romances and adventurous stories. Consequently, by this method, Rousseau acquired not only a tremendous ease in reading and comprehending, but also an insight into the passions quite unique in one of his age. When he was ten years of age he wounded a citizen in a street fight and fled from Geneva to escape punishment. Rousseau later was taken into the family of his mother and was sent to school. Two years after he was brought back to Geneva and apprenticed to a notary only to be dismissed a few weeks after because of his master's disliking for him. After his dismissal from there, he was apprenticed to an engraver where he could pick up the rudiments of the engraving trade. When he was sixteen, he rebelled and ran away from home, thus beginning a wandering career that lasted to the end of his life.

Through the help of a Roman Catholic priest at Confignon (just over the border in Savoy), he came in contact with Madame de Warens at Annecy. She was a young widow whose good works included earning for homeless proselytes. From here he was sent to a monastery at Turin for education. But he did not get along well at Turin and found the regime of the monastery quite repellent.

1. John Bowle, *Western Political Thought*, pp. 429-30.

He was soon turned out from there. He was engaged for a time as a domestic servant at Turin and left the job in disgust. He again appeared at the door of Madame de Warens who again took him in and decided to give him an education. He was placed in a nearby seminary, where he spent a few months learning a little of classics and music. In 1730, he was sent on a trip to Lyons by Madame de Warens just to get rid of him. When he came back, he found that the Madame had gone to Paris without leaving her address. Since vagabonding was a pleasure for Rousseau, he started again and roamed the country far and wide in search of his beloved. In 1731, he found her and the kind lady again took him in. He lived with her and largely on her bounty until 1740.

Madame de Warens was a lady who cherished highly unconventional ideas on morality. In her circle of intimate friends, there prevailed an intellectual atmosphere. It was here that Rousseau acquired a weirdly assorted stock of ideas. Madame de Warens now had accepted another lover and Rousseau was asked to occupy the position of a second-place lover. Rousseau now came to realize that he had no longer a place in the life of Madame de Warens. Through the assistance of Madame de Warens he became a tutor in a certain family of Monsieur de Malby. Rousseau proved himself to be a very poor teacher. He hated the teaching work, resigned his job, and again started for aimless wanderings. During this period he was without a regular occupation and spent much of his time in useless vagabondage. In these journeys he devoted some attention to the study of philosophy. During this period he lived in the company of a certain illiterate and uneducated laundress, Therese Levasseur, who finally became his mistress in 1770. He had five children by her whom he placed in a fondling home because it was too much trouble to take care of them.

In 1744, Rousseau went to Paris. He had already visited it once in 1742. He tried his hand at various schemes, the theatre, opera, music, poetry, without making much of a success at anything. Yet his personality opened for him the doors of the best salons in Paris, where he met leading Encyclopedists as well as influential women with several of whom he maintained close ties of friendship. But he never became, nor did he wish to become, a part of the fashionable set of Paris. He had love affairs with society women, but of all his associations with women the one that lasted longest was with Therese Levasseur, who worked in Rousseau's small hotel in Paris. As he later said in his *Confessions* : "At first I sought to

give myself amusement, but I saw I had gone further and had given myself a companion".

Though enjoying, out of vanity, the company of the rich and powerful, he resented being admitted to the exalted society as a matter of personal privilege, and he never shed his plebian, puritanical background of a low middle-class family in Geneva. His complex feelings of pleasure and resentment regarding his social standing made it difficult for him to establish lasting human relations, except with Therese Levasseur, with whom he lived from his early days in Paris to the end of his life.²

In 1749 came the event which raised him from obscurity and transformed him into a world figure. In 1749, the Academy of Dijon announced a prize for the best essay on the question: "Has the progress of sciences and arts contributed to corrupt or purify morals?" In his *Confessions*, Rousseau later describes his immediate reactions: "Instantly I saw another universe, and I became another man". In his *Confessions*, he gives expression to his reactions in the following words:

"If ever anything has resembled a sudden inspiration, it was the movement which occurred in me when I read these words. All at once, my mind was dazzled by a thousand lights, by a crowd of ideas presenting themselves together with such force and confusion that I was thrown into inexpressible agitation. I was overcome by giddiness like that of drunkenness and such a violent palpitation oppressed me that I flung myself under a tree where I lay for half an hour in such emotion that, on rising, I found my coat soaked with tears which I had not been aware of shedding. If only I had been able to write down a quarter of what I felt under that tree, with what clarity I would have pointed out all of the contradictions of our social system! with what force I would have exposed all the abuses of our institutions! with what simplicity I would have demonstrated that man is naturally good and that it is only through these institutions that he becomes wicked".³

After recovering his senses from his trance, he tells us in a flash of inspiration a great truth—"That man is naturally good and that our social institutions alone have rendered him evil". He set to work feverishly on the essay and submitted it to the Academy.

2. William Ebenstein, *Great Political Thinkers*, 3rd edition, 1962, p. 433.

3. *Confessions*, Pt. II, Book VIII, p. 249.

In 1750 the Academy awarded it the first prize, and it was published in 1751 under the title "A Discourse on the Moral Effects of the Arts and Sciences". Rousseau's thesis was the exact opposite of what was conventionally thought at that time, and "he was bold enough to extol natural man at the expense of so-called civilized man, for our minds have been corrupted in proportion as the arts and sciences have improved". The much vaunted politeness, the glory of civilized refinement, is for Rousseau but a "uniform and perfidious veil", under which he sees "jealousy, fear, coldness, reserve, hate, and fraud".

Here is another Rousseau: the man who first and most powerfully asserted the modern democratic belief in the infinite capacities of the ordinary man for development and improvement. Believing, on the one hand, in the innate goodness of man and, on the other hand, in the viciousness of contemporary society, Rousseau was in a position to offer a penetrating criticism of the social and political institutions of the ancient regime, on the ground that they stifled human nature and prevented men from becoming what they have it in them, potentially, to be.⁴ In surveying history in support of his cult of natural simplicity, Rousseau is full of enthusiasm for Sparta, a republic of demi-gods rather than of men, "famous for the happy ignorance of its inhabitants, eternal proof of the vanity of science". By contrast, he denigrates Athens, the centre of vice, doomed to perish because of its elegance, luxury, wealth, art and science: "From Athens we derive those astonishing performances which will serve as models to every corrupt age".

Rousseau sees a direct causal relation between luxury, constantly expanding needs, and the rise of art and science, after which true courage flags and the virtues disappear. Roman history, Rousseau holds, supports his view: as long as Rome was poor and simple she was able to command respect and conquer an empire; after having developed luxury and engulfed the riches of the universe, Rome "fell a prey to peoples who knew not even what riches were". Rousseau inveighs against orators and philosophers as guides to superficiality and perversion. Philosophers consecrate themselves to the destruction of "all that men hold sacred", and Rousseau calls them 'charlatans' who sow confusion among men and undermine their simple ideas of patriotism and religion.⁵

4. W. T. Jones, *Masters of Political Thought*, Vol. II, p. 251.

5. W. Ebenstein, *op. cit.*, p. 434.

In 1754, he returned to his native city where he was given a rousing reception. He now renounced his catholicism and accepted the calvinistic creed. He was again restored his citizenship of the Republic of Geneva. Again he went back to Paris and became a ward of the famous Madame d'Epinau. He spent the next 8 years of his life in the little cottage at Montmorency which the Madame provided for him. It was during this period that he produced his greatest books : The New Heloise, Emile, and the Social Contract. In 1762, his books were condemned and criticised and orders were issued for his arrest. Even in his home town, Geneva, his books were denounced and burned and the law officers issued orders to seize him if he entered the territory of Geneva. To avoid imprisonment and arrest he settled in a little village near Berne, in Switzerland. His life at Berne was very unhappy and hence he accepted the offer of his English friends including the philosopher Hume to settle in England. Rousseau gladly accepted the offer and finally settled on a small country place in Derbyshire.

With insanity slowly fastening its grip upon him, he managed to quarrel practically with all his benefactors. Thinking that his life was in danger, Rousseau, in May 1767, secretly fled to France where he stayed for the rest of his life. The Confessions, the Dialogues and the Reveries, and the Considerations on the Government of Poland are among the products of this final phase. This is the man who was persecuted for his views, who was hounded from city to city in Europe as a dangerous character, whose books were banned and burned by the public executioner, and who finally was permitted to return to France, to die a broken and despondent old man by a stroke of apoplexy, on July 2, 1778, only two or three days after his sixty-sixth birthday and a few short years before the revolution of which he was in large measure the inspiration and the prophet.⁶

For a rational and scientific study, Rousseau's political ideas should be examined in their historical context. Certain problems of social and political life attracted the attention of Rousseau. The political and the social theme framed the staple of his thinking which culminated in the writing of Social Contract. Society on the Continent and specially in France abounded in conditions that were in the highest degree odious to thoughtful men. Feudal class distinctions medieval theology and Divine Right Monarchy were the salient facts of the situation. Nobility still retained their privileges though the

6. W. T. Jones, *op. cit.*, pp. 251-252.

justification of these had long disappeared. The clergy too retained their privileges though their usefulness had already ended.

Rousseau discovered himself in a society divided by class distinctions where a raw apprentice could not sit at table with a master-craftsman and where his best friend and cousin German would no longer speak to him at ease. The cousin German's mother had pointed out to her son that they lived 'uptown' and Jean Jacques was only an apprentice boy, living 'downtown' in Geneva. This left an indelible impression on Jean Jacques's youthful mind, which afterwards displayed itself in a passion for asserting, in the company of marquises, the equality of human race.⁷

In France, the condition of the common man was hopelessly pitiable. Gallons of purple ink had been spilled in description of the grinding misery of the masses in Pre-Revolutionary Europe and the outrageous tyrannies visited upon them.⁸ The French peasantry had many real grievances. Their lot was one of incessant toil and frugality. The labourers, the agriculturists and the townsmen had their own grievances. The professional and commercial classes had many valuable privileges, and many were able to accumulate substantial fortunes. In France and generally throughout Europe there was a seething discontent. Louis XV the embodiment of God given absolute power by his very sodden and lustful nature had destroyed the sense of duty and respect on which there rested the whole fabric of monarchic system. Western Europe was overtaken by a reaction of rational philosophy against obscurantism and despotism. Voltaire and Montesquieu in their different methods had roused the spirit of revolt.

Liberal philosophers in Germany had already waged an incessant war against the oppressive and deadening principles and practices of the old regime. But their demands were merely for a tolerant and enlightened despotism. To Montesquieu, salvation has to be found in the English system, but Rousseau, when he set himself about projecting political reforms, never paused till he had provided for the total remodelling of government, state and society itself. It was for this purpose that Social Contract was designed covering the whole field of political science. Before laying his fingers upon any social and political problems he familiarised himself with some of the chief writers on political philosophy—Pufendorf, Locke, and

7. George Catlin, *A History of the Political Philosophers*, (1950), p. 440.

8. C. C. Maxey, *Political Philosophies*, p. 341.

Montesquieu. Grotius and Hobbes excited his wrath and received the damnation.

Besides the influence of certain earlier political philosophers, the influence of his birthplace was clearly manifest over his thoughts and writings. He writes with a real pride as 'a citizen of Geneva' on the title page of the *Social Contract*. The political system in Geneva was popular and was in marked contrast to that which prevailed in France. The political order of Geneva began to appeal to him with a new force. He liked to think that in that little republic there was a reign of law to safeguard the rights and privileges of the citizens and that in a real sense there was freedom for the Genevans. He also liked to think that Geneva expected its citizens to live virtuous lives and that it was glad to reward meritorious service.⁹ Rousseau himself could write with great pride :

"We have no knowledge of proud insolence, no glittering titles, no unjust power ; wise representatives, chosen by our own direct vote, judge of our controversies, watch over our laws. Diplomacy is not the pillar of our republic ; justice is our only policy ; all classes, differing without being unequal, retain severally the rank that has been accorded them. Our chiefs, our magistrates, simple in dress, without luxury or gilding, are not lost to view in the crowd, but distinguish themselves by their virtues".¹⁰

Rousseau's sensitive emotional and self-conscious temperament also played a significant part in shaping his political thinking. He was impatient of control, even of self-control, and was resentful towards every institution and convention that suggested restriction. His vain and sensitive spirit was against the restraints of law and custom which become in his writings the universal truth of human freedom. He therefore turned his attention to the religion, morals, manners and politics of his day. More than most men Rousseau projected the contradictions and maladjustments of his own nature upon the society about him and sought an anodyne for his own painful sensitivity. For this purpose he adopted the familiar contrast between the natural and the actual, current in all the appeals to reason. But Rousseau did no appeal to reason. On the contrary, he turned the contrast into an attack upon reason. Against intelligence, the growth of knowledge of science, which the enlightenment

9. A. H. Osborn, *Rousseau and Burke*, 1940, p. 92.

10. *Complete Works of J. J. Rousseau*, Vol. VI, p. 13, Hachett ed.

believed to be the only hope of civilization, he set amiable and benevolent sentiments, the goodwill, and reverence".¹¹

Contemporaries of Rousseau expressed their unbounded admiration for the Greek and Roman republics. Although Rousseau had no acquaintance with the history of the ancient city-states but he was acquainted with the literary traditions which clothed their institutions with the perfection of wisdom and their heroes with the perfection of virtues. He therefore held that there should be a rule in conformity to the Greek city-states. He maintained that every state is bound to die. "If Sparta and Rome have perished what state can hope to endure for ever". His philosophy was, therefore, fundamentally a series of induction from the observation of ordinarily neglected facts, which is so clearly evident from his works.

2. *The works of Rousseau*: Before the appearance of Rousseau on the literary scene in Europe, critics of the existing order had slowly been widening their orbit of interest to include the people in their plans of reform. But 'the people' meant primarily the discriminated Third Estate of prosperous and respectable merchants, lawyers, and intellectuals. Rousseau is the first modern writer on politics who was of the people: the submerged, inarticulate masses, the poor artisans and working men, the small peasants, the restless and rootless, for whom there was no room, and no hope in the existing order of things. After having won the prize from the Academy of Dijon on the 'Discourse on the Arts and Sciences' in 1750, Rousseau proceeded to compete again in a contest of the Academy; the subject was 'What is the origin of inequality among men, and is it authorised by natural law?' The 'Discourse on Inequality' was produced in 1755 which, although not a prize-winner, received acclaim on publication. In order of importance this discourse was more important than the first, particularly in relation to the development of Rousseau's political ideas. In this discourse Rousseau distinguishes between two kinds of inequality. The first is natural and consists in differences of age, health, bodily strength and the qualities of mind and soul. The second is moral or political inequality, which owes its existence to social institutions and consists in privileges of wealth, honour and power. Rousseau finds that natural inequalities are not substantial, that the problem of inequality arises with the formation of society. Nature has destined man to live a healthy, simple life and to satisfy his essential needs.

11. G. H. Sabine, *A History of Political Theory*, p. 486.

("food, a female, and sleep"). By contrast, man in society, or civilized man, has developed varied and unhealthful habits of eating and sleeping, and his mental and physical exhaustion is the result of the pains, anxieties and torment of civilized living. Civilization is thus a hopeless race to discover remedies for the evils it produces. The man of nature knows less medicine than civilized man, but the latter brings upon himself more diseases than medicine can cure. Reflection is contrary to nature, and a thinking man, says Rousseau, "is a depraved animal".

In 1755, Rousseau published his another 'Discourse on Political Economy' in Diderot's Encyclopedia. The 'Discourse on Political Economy' is less remarkable for its economic theory than for the fact that it is his first constructive approach to a theory of the state. The 'Discourse on Political Economy' occupies a very important place in the writings of Rousseau mainly because it contains the first statement of his concept of the General Will, which is regarded to be his most original contribution to political thought.

In 1762 Rousseau published his 'Emile', a revolutionary treatise on education, and which aroused a great opposition for its advocacy of 'Natural Religion'. The stand that he took in the 'Emile' was that traditional education is too vocational and too highly specialized, that children remain ignorant of their own language while being taught other languages not spoken anywhere and that the moral virtues were neglected. "But magnanimity, equity, temperance, humanity and courage will be words of which they know not the meaning". Finally Rousseau makes the charge that it is as timely today as in 1749. "We have physicists, geometers, chemists, astronomers, poets, musicians and painters in plenty ; but we have no longer a citizen among us".

The 'Social Contract' which he published in 1762 is not the result of a sudden inspiration. Its chief ideas had matured in him over the years and had been partially expressed in his three discourses. In this work he remains reasonably consistent that man is by nature good, that the acts and institutions of civilization have produced perverted expression of his true nature ; that good can be restored among civilized men only through institutions which give the freest possible expression to natural human desires. Organized social restraint is justified only in so far as it rests upon a consent given freely by all members of the community. Hence the problem that Rousseau wants to tackle in the 'Social Contract' "is to find a form of association which will defend and protect with the whole common

force the person and goods of each associate and in which each, while uniting himself with all, may still obey himself alone, and remain as free as before". In other words, the problem before him was how to reconcile between liberty and authority. In the opening paragraph of his book Rousseau puts the same question in a more dramatic form: "Man is born free; and everywhere he is in chains. Many a one believes himself the master of others, and yet he is a greater slave than they. How has this change come about? I believe I can settle this question". And as everybody knows, Rousseau settled this question by importing within the domain of political theory his famous doctrine of General Will. Rousseau realizes that if there was any salvation for Europe, it must be found in principles of political obligation which would reconcile authority and liberty, remove inequality, furnish a basis for pure justice, establish natural rights, and so far as practicable restore to men in society the benefits of the pre-political state of nature. To the task of conducting an inquiry into the nature of the state and discovering the essential principles of truly legitimate political society, the eloquent Jean Jacques set himself in the *Social Contract*.¹²

Another very famous work written by Rousseau is his 'Confessions'. The book is counted among the very many prominent autobiographies of the world. The prominence lies in the fact that it is an absolutely true and genuine representative of all the doings of Rousseau—good or bad. His 'Confessions' gives us a clear picture of his deeply divided personality in which morbidities both of sex and religion played a large part. "My tastes and thoughts", he says, "always seemed to fluctuate between the noble and the base". Whatever he did in life was sincerely confessed. In the very preface of the book he writes, "Here is an enterprise without a precedent, one which will never have an imitator: I propose to show to my fellows a man in the whole truth of his nature. And that man is myself. Whosoever doubts his sincerity he deserves the gibbet". The following lines may be quoted from his book in support of his sincerity of confessions and admissions:

"Let the trump of the Last Judgment sound when it will. I shall come with this book in hand, to present myself before the Sovereign Judge. And I shall say aloud, 'Here is written what I have done, what I have thought, what I have been. I have put down the good and the bad with the same honesty. I have showr

myself just as I was : vile and contemptible when I was ; and good, generous, sublime when I was that' . . . Assemble about me, Eternal being, the innumerable crowd of my fellowmen. Let them hear my confessions, let them lament my sins and blush at my unworthiness. But let each of them uncover himself before Your Throne with the same sincerity ; and let a single one say, if he dare, I was better than that man''.

3. *Political philosophy of Rousseau*: Edmund Burke regarded the Social Contract of Rousseau as of 'little or no merit', and he thought of Rousseau as an 'insane Socrates'. Yet few men have more affected the mind of the modern world than Jean Jacques Rousseau. And as Bergson tells, he was the most powerful of the influences which the human mind has experienced since Descartes. He left the stamp of his strong and original genius on politics, education, religion, literature, and it is hardly an exaggeration to say with Lenson that he is to be found at the entrance to all the paths leading to the present.¹³ In his political thinking Rousseau was greatly indebted to Locke ; in fact, the greater part of his political ideas are directly traceable to the English theorist. But Locke's 'Essay on Civil Government' was a rather dull defence of revolution which had already taken place, and all that Locke wished to do was to cause the populace to accept the status quo. Where Locke was read by the hundred, Rousseau, whose principal work, the Social Contract, appeared in 1762, was read by the thousand, and wherever Rousseau was read, there was engendered a vast discontent with existing conditions, and a feeling that something radical should be done to correct existing evils. Locke was a mild defender of bloodless revolution in the past ; Rousseau was the ardent apostle of a cause which was to lead a violent revolution shortly after his death.¹⁴ His contribution to the history of political thought can be studied under the following heads :

(a) *State of nature*—Like his predecessors, Rousseau uses the conception of the state of nature and the social contract to explain his origin of state and the problem of political obligation. Hobbes had argued that the state of nature was a state of war ; that the life of man at this stage was "solitary, poor, brutish, nasty and short". In opposition to this view Locke had insisted that the state of nature was normally peaceful and pleasant. But even Locke had agreed

13. C. L. Wayper, *Political Thought*, 3rd edition, 1962, p. 136.

14. W. M. McGovern, *From Luther to Hitler*, p. 94.

that a state of nature was vexatious and inconvenient and that man had profited materially, morally and intellectually by the formation of the political state. Rousseau accepted with a few modifications Locke's view of the state of nature, but emphasized even more strongly the peaceful, pleasant, idyllic condition of this natural state. Again and again, specially in his earlier works, Rousseau stressed the happiness which men enjoyed when everyone was free and equal, when nature provided abundant nourishment for all. He then proceeded to contrast with this early blissful state the inequality, the oppression, the poverty which is the common lot of the bulk of the inhabitants of most modern political states.¹⁵

In his 'Discourse on the Origin of Inequality', Rousseau gives us the picture of men living in the state of nature. The man in the state of nature was a solitary savage, living the happy care-free life of the brute, without fixed abode, without articulate speech, with no needs or desires. He was contented, self-sufficient, independent and healthy. No wickedness prevailed in the state of nature and the man led a life of idyllic happiness. Supreme bliss was the conspicuous quality of the state of nature. He was not driven like Hobbes by his passions to war upon his fellows. The state of nature was, in fact, a state of perfect equality, perfect freedom and perfect innocence.

Now human race becomes increasingly numerous. Divergencies of soil, climate and season began to introduce differences of different types. On the shores of the sea they invent the hook and catch fish, and in the forest they become hunters and invent bows and arrows. Thus the economic progress moves on. Instead of casual caves, rude huts came into existence. Family and property now are at hand. Evils follow in their train. But at this stage the primitive society is not intolerable. This period i.e., the middle period is the best period in the life of humanity—"the least subject to revolutions, the best for man".

His emergence from the state of nature is due to fatal chance. The art of agriculture required the aid of one another. It led to the creation of rich and poor. It led to inequality. Property showed its pernicious effect. "The first man who after enclosing a piece of land said to himself 'this is mine' and found people simply to believe him, was the real founder of civil society".

Now followed war, murder, wretchedness and horrors. Rich and poor ranged against each other. The evils that were absent in

15. *Ibid.*, p. 95.

the savage state now became universal. This inevitable result was the stage of final inequality and conditions of master and slaves. The truly natural man i.e. the savage acts on two principles. Firstly, he acts on a feeling of interest in his own welfare and preservation. Secondly, he acts on a feeling of repugnance towards the sight of death. But these feelings give way to reason. "By nature man scarcely thinks. With the growth of the reason the degeneration goes so far that it necessitated the constitution of civil society". 'Back to nature' is his cry. This does not mean that society must be destroyed and the savage state resumed but it means that nature must be the rule for men in society. When Rousseau recommends the rule of nature for man it becomes quite obvious that according to him reason and philosophy have deluded men and brought them to ruin.

(b) *The social contract*—Man in the state of nature was leading a life of perfect equality and perfect freedom. But this idyllic state of nature could not exist for a long time. The growth of economic progress and the artificialities and conventionalities of so-called civilized life produced, according to Rousseau, only misery. The peace and tranquillity of the state of nature was rudely disturbed. The condition became extremely unbearable. No alternative was, therefore, left than to leave the state of nature and join the civil state. This was achieved through the instrument of social pact.

In the 6th chapter of the 'Social Contract' Rousseau writes, "I assume that men have reached at a point where primitive conditions can no longer subsist and the human race would perish unless it changed its mode of existence". In the state of nature each man pursues his self-interest until he discovers that his power to preserve himself individually against the threats and hindrances of others is not strong enough. The purpose of the social pact is thus to combine security, which comes from collective association, with liberty which the individual had before entering the social contract. Now the free men of Rousseau were confronted with the problem of preservation. They had no force to preserve them. Nor could they create any new force. Rousseau himself writes in the Social Contract, "Men cannot create any new forces but only combine and direct those that exist. They have no means of self-preservation than to form by aggregation a sum of forces which make them work in concert. This sum of forces can be produced only by the combination of many but the strength and freedom of each should

remain the chief instrument of his preservation. It was therefore necessary, as Rousseau says :

“To find a form of association which will defend and protect with the whole common force the person and property of each associate, and in which each, while uniting himself with all, may still obey himself alone, and remain as free as before”.¹⁶

This was a great problem before the mind of Rousseau and the solution was provided by the very social pact. Like his predecessors, Rousseau also seems to believe that authority without consent is meaningless. “Authority of man over man can have no rational basis, save agreement and consent”. And there is one kind of agreement to Rousseau in which liberty is retained and authority is instituted. This is the pact through which a multitude of individuals become a collective unity—a society. The formula on which the civil society rests is as follows : “Each of us puts his person and all his power under the supreme direction of the general will and in one corporate capacity, we receive each member as an indivisible part of the whole”.

Thus is constituted a moral body having a life and a will of its own distinct from those of its members. It reduces the government to a mere agent of the general will. In insisting that the community as a whole should always remain sovereign, Rousseau maintained that the state is not merely a collection of separate individuals, but that it is a new body with an identity, a life and a personality of its own. Most important of all, in Rousseau’s opinion, the state has a will of its own, the *volente generale* or general will, to which all separate and particular wills must be subordinated. Rousseau thus may be rightly regarded as a stern advocate of the organic conception of the state. The state, as it is now obvious, in the case of Rousseau, becomes a living moral organism. In the words of Prof. C. E. Vaughan, “The body politic, therefore, is also a moral being possessed of a will, and the general will, which tends always to the preservation and welfare of the whole and of every part, and is the source of the laws, constitutes for all the members of the state, in their relations to one another and to it, the rule of what is just or unjust”.¹⁷

It “substituted”, said Rousseau, “justice for instinct and gave men’s actions the morality that had formerly lacked”. In the state

16. *Social Contract*, I, vi.

17. C. E. Vaughan, *Political Writings of Rousseau*, Vol. I, p. 241.

of nature, as already stated, man was guided by instinct only, whereas in society he is inspired by justice and morality. Man loses through the social contract his natural liberty and an unlimited right to everything he can lay his hands on, but he gains civil liberty and property rights in all he possesses. The liberty of the state of nature is no true liberty, because it is merely enslavement to uncontrolled appetites. By contrast, moral liberty, which man acquires solely in the civil state, makes him master of himself, because "obedience to a law which we prescribe to ourselves is liberty".

Through the force of social pact, instead of remaining a stupid and unimaginative animal, it made him an intelligent being and a man. The state became a public person—a body-politic which is called by its members state when it is passive, sovereign when it is active, power when it is compared to similar bodies. As regards the associates collectively, they take the name of people and are individually citizens as participating in the sovereign power, and subject when subjected to the laws of the state. Again, through the device of the social pact, perfect equality is ensured. Each individual makes a complete alienation of himself and all his rights to the community. This alienation being without reserve, the union is as perfect as it can be, an individual associate can no longer claim anything.¹⁸ That is to say, individuals reducing themselves to zeros are as such equal. Perfect freedom is also secured. Each gave himself unreservedly to the whole community. In giving himself upto all, he gives himself upto no one and in obeying the society he is obeying himself alone, and as such he is perfectly free. It is in this way that Rousseau effects a perfect reconciliation between liberty and authority.

Rousseau's total surrender of the individual to the sovereign community is completely contrary to Locke and recalls Hobbes's view of social contract, in which the individual also surrenders himself completely to the sovereign. But whereas Hobbes's subject is completely submissive to his sovereign, Rousseau rejects this kind of social peace without liberty. "Tranquillity is also found in dungeons; but is that enough to make them desirable places to live in?" To renounce liberty, Rousseau says, is to renounce being a man, for there can be no obligation that is not, to some extent at least, mutual. In fact, Rousseau was in profound disagreement

18. J. J. Rousseau, *The Social Contract*, translated by Tozer, Book I, Chapter VI.

with Hobbes on one all-important point. According to Hobbes, the community, being unable to act for itself, is forced to transfer its supreme absolute power to a small group of individuals or preferably to a single individual. To Rousseau, the community or the state itself must always remain sovereign and cannot, even if it wished to, delegate or transfer to anyone else its sovereign prerogatives. Rousseau was at some pains to prove that the very concept of sovereignty implied that sovereignty was necessarily inalienable and indivisible. Though certain administrative functions might be granted to specific individuals, these individuals necessarily remain subordinate agents. Should the community seek to transfer all or even part of its sovereign powers to one of the agents, the body politic would thereby be destroyed. Again, the Leviathan of Hobbes had all the powers with him. The sovereign was absolute both internally and externally. He was infallible. His word was law. No one shared his authority. He was not a party to the contract. He was sovereign *par excellence*. Rousseau's sovereign cannot be compared with Hobbesian Leviathan. For Rousseau the sovereign was general will and not one man or a few men. General will was essentially righteous and virtuous. Sovereign was a party to the contract. It was the conception of popular sovereignty which Rousseau advocated whereas Hobbes preached royal absolutism and power arbitrary and despotic.

Although Rousseau has heavily drawn from Locke's concept of social contract and his contract in substance is essentially Lockean, yet he differed fundamentally from his predecessor. Rousseau's sovereign differs from Locke's on many issues. Sovereignty, according to Rousseau, is vested with general will and absolute, infallible, inalienable and perpetual. It is not a limited sovereignty of the type of Locke. Rousseau postulates only one contract, namely, social contract, whereas Locke mentions two contracts—social and governmental. John Locke had argued that even in a state of nature man was rational and obeyed the commands of reason. To Rousseau man was naturally not a rational but an emotional animal, swayed in his actions by his feelings. In a word, Rousseau's naturalism was to exalt not merely the state of nature, but also the common man and his political capacity. With him the people meant no longer the common herd led by the magistrates, but the mass of men acting in accordance with their natural inclinations.¹⁹ The crux of the whole discussion is that Rousseau's

19. W. M. McGovern, *op. cit.*, p. 97.

social contract is a happy blend of both the contracts of Hobbes and Locke. Blending the social contract theories of Hobbes and Locke, following Hobbes in the doctrine of complete alienation and Locke in the doctrine of popular consent, the nimble-minded Jean Jacques had evaluated a theory that logic could easily refute, but could not demolish.²⁰

(c) *Sovereignty of the General Will*—Each individual in the social contract places his power and person under the supreme direction of the general will or the community which is the state itself. The body politic which is created out of this contract is the possessor of supreme power. The respective wills of citizens are merged into and superseded by the general will. Sovereignty cannot be traced to any other possessor than the body politic as a whole and it cannot be identified with other than the general will. Since the general will resides in the community, it establishes the supremacy and sovereignty of the people in the land. Rousseau's system of government is thus an unmitigated popular sovereignty. Unlike all other major political thinkers, Rousseau considers the sovereignty of the people inalienable and indivisible. The people cannot give away or transfer, to any person or body, their ultimate right of self-government, of deciding their own destiny. Rousseau draws a sharp distinction between sovereignty, which always and wholly resides in the people, and government, which is but a temporary agent of the sovereign people. The sovereignty, being nothing less than the exercise of the general will, can never be alienated and that the sovereign, who is no less than a collective being, cannot be represented except by himself. The power indeed may be transmitted but not the will.

Sovereignty, for the same reason as makes it inalienable, is indivisible, for will either is, or is not general, it is the will either of the body of the people or only of a part of it. In the first case, the will, when declared, is an act of sovereignty and constitutes law: in the second, it is merely a particular will, or act of magistracy—at the most a decree. But our political theorists, says Rousseau, "unable to divide sovereignty in principle, divide it according to its objects: into force and will, into legislative power, into rights of taxation, justice and war; into internal administration and power of foreign treaty. Sometimes they confuse all these sections, and sometimes they distinguish them, they turn the sovereign into a

fantastic being composed of several connected pieces: it is as if they were making man of several bodies, one with eyes, one with arms, another with feet, and each with nothing besides". The error is due to a lack of exact notions concerning the sovereign authority and to taking for parts of it what are only emanations for it.

Rousseau also talks of the infallibility of sovereignty. General will, as it is clear from what has gone before, is always right and always tends to the public advantage. Since what is right is always true, and what is true is always unquestionable. It thus becomes quite obvious from this logic that sovereignty is infallible.

Sovereignty, again, is the source of all law. It is only an act of the general will that may truly be called a law. Thus the source of all law is the community as a body politic, and it will not be a law proper if it does not touch the interests that are general. It is no longer necessary to ask as to who makes the laws, since they are the acts of the general will. The prince is not above the law, since he is a member of the state; nor whether the law can be unjust, since no one is unjust to himself. Laws are merely registers of our own wills. No state is legitimate to Rousseau unless they are ruled by such laws and every state thus ruled, whatever its form of government, is republic.

All these attributes of sovereignty given by Rousseau bring him very much close to Hobbes. It makes him essentially an absolutist and a great collectivist. Both of them become the supporters of an all-embracing state. The only point of difference is that, in the case of Hobbes, sovereignty belongs to a superior human person in the society, whereas in the case of Rousseau it belongs to the whole people. It is, therefore, rightly said that Rousseau's sovereign is Hobbes's Leviathan with its head chopped off. By introducing the concept of the general will as the very sovereign of society, Rousseau fundamentally alters the mechanistic concept of the state as an instrument, and revives the organic theory of the state, which goes back to Plato and Aristotle. His contention that real freedom for an individual is not what he thinks it is, but what he ought to think it is, and that a man can be forced to be free, could easily be used later by Hegel and the modern worshippers of the state.

(d) *General will and the will of all*—The general will of Rousseau should not be confused with the will of all. The character of the general will is determined by two elements. Firstly, it aims at the general good, and, secondly, it must come from all and apply

to all. The first refers to the object of will; the second, to its origin. In his *Social Contract* Rousseau remarks, "There is often a great deal of difference between the will of all and the general will; the latter considers only the common interest, while the former takes private interest into account, and is no more than a sum of particular wills". The general will is not so much a matter of numbers as of intrinsic quality and goodness. The will of all can be ascertained, and represented, but the general will cannot be represented because representative assemblies tend to develop particular interest of their own, forgetting those of the community. Ethical values and right consciousness are not the considerations of the will of all. General will, on the other hand, is always the expression of inner will. It is the dictate of conscience. It is always right, altruistic and universal.

A word by way of general criticism of the general will will not be out of place here. Rousseau's doctrine of general will is based on the idea of common good. But common good is not just an object large enough to be shared by a number of people like a supply of chocolate ice cream big enough to go round at a children's party. Common good is something which grows out of deep-rooted organic relations between the members of a group, like the common life and common interest that may develop between husband and wife in a happy marriage.²¹ Another objection against the general will is its applicability to large states. Considering the size of the large modern states, the theory has to be abandoned. Again, the general will is not possible in a society where there are, for instance, enormous differences in the financial position of the members of the group, where the group is divided into workers who labour long hours for small pay and capitalists who live on the income from their investment.²² Again, the state under such circumstances is likely to become totalitarian. Consequently, the value and worth of the constituent individuals is lost sight of. Lastly, the law which is contemplated by Rousseau, as the very expression of general will, will be rare and other problems, requiring a solution through law, will remain unsolved.

(e) *A medley of confusion*—Rousseau's political philosophy is sometimes described as a medley of confusion. It is vague, and it does not lead us in any specific direction. It is all a combination of democracy, absolutism, and socialism. Rousseau is a great

21. W. T. Jones, *op. cit.*, p. 319.

22. *Ibid.*, p. 321.

upholder of democratic principles. He had immense faith in liberty and equality of the individuals. He has stern belief in the political competence of the masses to decide and determine their own affairs. It is significant that he places the sovereignty in the community. He is the greatest advocate of direct democracy where people directly and personally participate in the day to day conduct of administration. He is also the ardent exponent of popular sovereignty, who in his early discourses advocated a philosophy what Prof. C. E. Vaughan has characterized as defiant individualism.

Rousseau's philosophy is absolutist and authoritarian also. Since the state, in his scheme of politics, is the true representative of the general will, it comes to occupy a position of infallibility. If it is to be said that general will is always right, it tantamounts to saying that state is always right. In case of a conflict between the individual and the state, the state will always be supposed on the side of right and the individual on the wrong. His salient features of the general will are sufficient to convince that he was a great exponent of absolutism resting as it does on the will of the people and not on force. Professor C. E. Vaughan has described it "a defiant collectivism".

Rousseau's philosophy is also socialistic in character. He is deadly against the system of capitalism. He stood firmly for the glorification of the common man. The capitalists and the aristocrats were the object of his abhorrence and receive condemnation. He talks of the equality of human race and the nationalization of education. He discusses the pernicious effect of the institution of private property and recommends a collective ownership of land. Like the socialists of the welfare state, he seeks the amelioration of individuals by exalting the powers of the community. There is no doubt that in the field of politics, Rousseau's teaching was suggestive rather than conclusive; but the stimulating force of his suggestions long remained a cardinal fact of literature and history.²³

4. *Rousseau's place in the history of Political Thought*: Conflicting opinions have been expressed about Rousseau's personality and works. It is, therefore, difficult to assign him a proper place in the history of political thought. G. D. H. Cole described his Social Contract to be "still by far the best of all text-books of political philosophy". Against this great admiration is expressed the

23. W. A. Dunning, *A History of Political Theories from Rousseau to Spencer* (1920), p. 38.

opinion of Lord Morley who says, "Would it not have been better for the world if Rousseau had never been born?" Lord Morley, with a conservative frame of mind, perhaps wants to tell that if Rousseau had not lived and performed his political incantations, the awful insanities of the French Revolution might have been averted. Constant said of him that he was the most terrible ally of despotism, in all its forms. In a similar strain, the French pluralist, Duguit had written that J. J. Rousseau was the father of Jacobin despotism of Caesarian dictatorship, and the inspirer of the absolutist doctrines of Kant and of Hegel. According to Prof. Vaughan Rousseau is "a stern asserter of the state on the one side and a fiery champion of the individual on the other, he could never bring himself wholly to sacrifice the one ideal to the other". So many authorities have reached different conclusions about Rousseau. Whatever crime may be laid at his door, whatever glories may be claimed as his due, it is beyond dispute that in the sphere of political thought Rousseau performed one service of incalculable importance. That was his formulation of a plausible and largely realizable theory of popular sovereignty.²⁴

Although Locke and Montesquieu had advocated a wide suffrage, they had not hesitated to assert that the well-born, the rich, the cultured classes must take the leading part in political life. With Rousseau this belief in the superiority of the well-born was shattered. The upper classes, according to him, were probably corrupted by their contact with luxuries and the artificial conventionalities of social life. The simple peasant and ignorant worker in the field might be, and probably was, more imbued with civil pride and political sagacity than the much vaunted members of the aristocracy. The mere ignorance or illiteracy of the worker should not, according to Rousseau, be a barrier to his participation in political life.²⁵ And as Josephson says, "He gave impetus, especially during the 18th and 19th centuries to the tendency of men, in greater numbers than ever before, to act as members of the sovereignty."²⁶

His theory of the state as a moral entity filled with a new regenerating force capable of restoring the downtrodden vitiated subjects to the full vigour of upright citizenship, expressed in coherent form the uprising force of popular nationalism just about to sweep Europe from the old political moorings. The works of Rousseau

24. C. C. Maxey, *op. cit.*, p. 368.

25. W. M. McGovern, *op. cit.*, p. 96.

26. M. Josephson, *Jean Jacques Rousseau*, p. 356.

were the text-books of the French Revolution.²⁷ In the French Revolution, only a few years later, the French nation discovered its communal solidarity in a new birth of individual freedom and popular government. Since then the message of Rousseau has been carried to all corners of the world, and its vitality and persistent timeliness continues to inspire free men everywhere.²⁸

His reconciliation between liberty and authority, his providing a new theoretical basis to society in the idea of the general will, and his declaration that the corporate life is the best of social life, are some of the unique features of his thinking. He makes a subtle distinction between state and government. The state, according to Rousseau, denotes the community as a whole created by the social pact and manifesting itself in the supreme general will. Government, on the other hand, denotes merely the individuals or groups of individuals designed by the community to carry into effect the sovereign will.

Rousseau's idealizing of the plain man found an immediate echo in the ethics of Kant. Its full significance, specially his idealizing of the collective will and of participation in the common life, appeared in German philosophy with the idealism of Hegel.²⁹ His collectivism finds manifestation in the writings of Bernard Bosanquet in England and the supporters of absolutism in the twentieth century. Because of his writings and sobre way of thinking, Rousseau commanded a great respect as a saint later on. "Women would fight", says Josephson, "to secure a glass he had drunk from, a piece of cloth he had knitted. The great people of the kingdom sought his acquaintance and a generation of youth, even of aristocratic youth, soon grew up largely under his maxims".³⁰

27. Phyllis Doyle, *A History of Political Thought*, 4th edition (1955), p. 218.

28. W. Ebenstein, *op. cit.*, p. 441.

29. G. H. Sabine, *op. cit.*, pp. 500-501.

30. M. Josephson, *op. cit.*, p. 294.

CHAPTER 42
MONTESQUIEU
(1689-1755)

"He was the counterpart of the universal patriarch in Milton, looking forth not with prophetic, but reverted vision upon the whole history of the race : bringing together from the east and the west, the north and the south, all the schemes of government which have ever prevailed among mankind ; weighing, measuring, collecting and comparing them ; joining fact with theory and calling into counsel all the speculations which have fatigued the understandings of profound reasoners in all time."

—*E. Burke*

1. *The life and times of Montesquieu*: The life history of the Baron de Montesquieu is the placid story of a life devoted to scholarship, letters and polite society—a life almost wholly devoid of adventure or romance outside the bounds of the intellectual: a life on which ran its course as untroubled as a summer day.¹ Baron de Montesquieu was born at Chateau de la Bride, near Bordeaux, on January 18, 1689. His father was Jacques de Secondat, second son

1. C. C. Maxey, *Political Philosophies*, p. 304.

of the Baron de Montesquieu. His mother was Marie Francaise de Pencl. Both parents came from a noble family of good standing. At one time his family had accepted protestantism but later abandoned it. The title Montesquieu came from his uncle, Jean Baptiste de Secondat, Baron de Montesquieu, who was president of the Parliament of Bordeaux. His decision for making a legal career was probably influenced by his uncle. Private tutors were provided for the young nobleman. For five years beginning at the age of eleven, Montesquieu attended the Oratorian School of Juilly, near Meaux, where he received his customary classical education. It was from here that Montesquieu went to the University at Bordeaux, where he studied law. In 1708 he started his practice as a lawyer and was also appointed a counsellor to the Bordeaux Parliament. In 1715, he married Jeanne de Lartigue, who, it is reported, brought more money than beauty and intelligence to the union, although the marriage was apparently a success.²

In 1716, Montesquieu's uncle died, leaving to him fortune, name and position as President of the Parliament of Bordeaux on condition that he takes the name of Montesquieu. He accepted the offer and was therefore known as Baron de Montesquieu. He held the Presidency of Parliament of Bordeaux for twelve years. His heart was not in his job as he was interested in literary and scientific matters. A deep interest in such matters led him to join the Academy of Science at Bordeaux, to which he contributed a number of papers on scientific subjects. In 1721, he published his famous book, the *Persian Letters*. Though this book was published anonymously, the fact that Montesquieu was the author became generally known. Written with considerable wit and sophistication, the *Persian Letters* was a veiled satire on French society. It was a philosophic attack on the old order. His judicial and parliamentary duties became increasingly difficult. Hence he sold his Presidency of the Parliament of Bordeaux and moved to Paris to devote himself completely to social and literary interest.

In 1725, he was elected to the French Academy, but the election was declared to be unconstitutional as he was not a resident of Paris. After having become a resident of Paris, in 1728 he was again elected and this time was admitted to the Academy. Soon after he set forth on a long tour of Europe particularly for educational purposes. He visited Austria, Hungary, Italy, Germany and

2. M. J. Harmon, *Political Thought from Plato to the Present*, p. 267.

England, carefully observing men and institutions wherever he went. He remained a year and a half in England. In England Montesquieu made friendship with many statesmen and scholars and studied English political institutions. He was greatly impressed by his study of English constitutional structure, which later served as a model in Montesquieu's development of political theory. He came back to his country and made his permanent abode at La Brede where he devoted an increasing proportion of his time to study and writing. In 1734, he published his *Considerations on the Greatness and Decline of Rome*. Roman history was a convenient starting point for his favourite theories, soon to be developed more fully. For those who anticipated a continuation of the style and humour found in 'The Persian Letters', the 'Considerations' was a disappointment; it was sometimes referred to as the 'decadence' of Montesquieu. The 'Considerations' was one of the significant attempts at a philosophy of history. Speaking of the capacity of a state to correct its own mistakes and abuses, Montesquieu mentions Rome, Carthage, Athens, and the Italian city-republics; lamenting their shortcomings in self-analysis and self-correction, he says: "The government of England is wiser, because there is a body which examines it continuously and continuously examines itself; its errors never last long, and are often useful because of the spirit of attention they give to the people. In a word, a free government, that is, one that always agitated, cannot be maintained if it is not capable of correction through its own laws".

The chief work of Montesquieu, on which his reputation is founded, is his *Spirit of the Laws* published in 1748. The *Spirit of the Laws* is a monument of sound scholarship. In this work Montesquieu asserts that political inquiry should have an empirical basis and he combines this assertion with the development of a technique of investigation suited specifically to this subject, and not borrowed from theology, logic or mathematics. Thus Montesquieu is not so important for the permanent value of his contribution to political theorizing as he is for his impact on the development of methodology in political and social studies.³ The *Spirit of the Laws* was highly successful and was greatly admired both in its style and content. Every fact was checked as carefully as possible with the facilities at his command, every idea was weighed and tested with all of his intellectual resources, every sentence and every phrase

3. W. T. Jones, *Masters of Political Thought*, Vol. II, p. 218.

was cut and polished to gem-like transparency and brilliance. A more quotable book was never written.⁴ It became a political bible for the statesmen and the rulers. It dwarfed all else that he had done and gained him a place among the immortals.⁵ But Montesquieu was little interested in remaining in Paris to accept the plaudits of his admirers. Most of his time was spent in the country at La Brede, where he died on February 10, 1755.

The times of Montesquieu were sufficiently fertile for the development of political theory. The seventeenth century was for the most part a time of planting and germination; the eighteenth was pre-eminently a century of fruition and reaping. In England, parliamentary supremacy was decisively asserted in the Revolution of 1688. In France, the monarchy was able to overcome all resistance to its power. The fifty-four years of Louis XIV's personal government (1661-1715) set a standard for royal absolutism in Europe. The Frenchmen were not satisfied with their situation as were their fellows across the Channel. Under Louis XIV unprecedented authority was concentrated in the kingly hands. The king diluted the power of the nobility by increasing the numbers of nobles, stripped it of still more powers, and distracted its attention by the entertainments and ceremonials at Versailles, the luxurious new court which Louis had built near Paris. But as compared to England, the privileges and exemption of the nobility and clergy were greater in France: there was less religious toleration; the middle class was more restrained. The social schisms created a bitterness among the classes in France which was not matched in England and which was reflected in the increasingly emotional quality of French political thought. Political thought in France was generally moderate in the first part of the 18th century, but grew more radical as the century progressed.⁶ An important part of the early criticism of the French autocracy in political writing is found in the contributions of Charles Louis de Secondat, Baron de Montesquieu. He presents at once the best scientific aspirations of his age and its unavoidable confusions. Nearly all that he wrote was written with an eye upon the state of affairs in France. He neglected the contract and suggested a sociological relativism. He provided a plan for the study of government in relation to both the

4. C. C. Maxey, *op. cit.*, p. 306.

5. *Ibid.*, p. 305.

6. M. J. Harmon, *Political Thought from Plato to the Present*, p. 267.

physical and social milieu which required the comparisons of institutions on a wide scale. His love of political liberty was in the best tradition of the eighteenth century. His theory of separation of powers and religious toleration are the liberal and humanitarian ideals which reflect the Lockean influence over his mind. All these ideas have come down to us through his three famous works.

2. *The works of Montesquieu*: In 1721, Montesquieu published his first book the *Letters Persanes* (The Persian Letters). The book consisted of a fictitious series of letters exchanged between two prominent Persians who were travelling in Europe for the first time. The book was in the main a social satire on the conditions of France in which the author paid his respects to the Church, to Louis XIV, the decline of the parliaments, and the decay of the nobility. The thought behind the criticism was the same conception of despotism developed in the *Spirit of the Law*—a government in which all intermediate powers between the king and the people have been crushed and law has been made identical with the sovereign's will.⁷ The *Letters* has little to offer as a political treatise compared with the *Laws*, although it has a value as a special form of social criticism applicable to an important period of history.⁸

In the *Letters*, Montesquieu has ridiculed many aspects of his society. But here we shall consider only a few of them. Montesquieu relates a fable concerning a band of 'Troglo-dites' who narrowly escape self-destruction because they surrender completely to the motive of self-interest. The two surviving families soon learn that subordination of the individual to the general interest is the essence of virtue and the *sine qua non* of good life. They handed down the lesson to their children.

"They led them to see that the interest of the individual was bound up in that of the community; that to isolate oneself was to court ruin; that the cost of virtue should never be counted, nor the practice of it counted as troublesome; and that in acting justly by others, we bestow blessings on ourselves".⁹

The meaning is clear. Virtue is self-rewarding, for in doing good to others we serve our own interest. A virtuous people need no formal authority placed over them. When the Troglo-dites attempt to give a crown to the man regarded as the most just among

7. G. H. Sabine, *A History of Political Theory*, p. 466.

8. M. J. Harmon, *op. cit.*, p. 269.

9. *Persian Letter No. 24*, quoted from M. J. Harmon, *op. cit.*, p. 269.

them, he upbraids them. They should know, he says, that commands cannot compel them to act more nobly than they are already constrained to act by necessity. The imposition of authority will only serve to lessen their awareness that virtue is a necessity, and the result will be degradation.¹⁰ Louis XIV was the specific object of Montesquieu's barbs. Montesquieu was particularly opposed to the institution and the corrupt practices of the court of the monarch. The King of France, he said, raised more money (through the sale of titles than the King of Spain from his gold mines. Montesquieu refers to the device employed by Louis XIV of weakening the nobility by increasing its numbers and of strengthening his treasury at the same time. It is fair to say that Montesquieu, who regarded a strong nobility as a necessary check on monarchical power more bitterly opposed this kingly practice than any other. He was also critical of the king's manipulation of the national currency, which had done great damage to the fortunes of the citizens.

"The king is a great magician, for his dominion extends to the minds of his subjects; he makes them think what he wishes. If he has only a million crowns in his exchequer, and has need of two millions, he has only to persuade them that one crown is worth two and they believe it. If he has a costly war on hand, and is short of money, he simply suggests to his subjects that a piece of paper is coin of the realm, and they are straightaway convinced of it".¹¹

In the Persian Letters the most damaging and devastating sarcasm is reserved for the Pope and the catholic clergy. If the king is a magician, he continues, there is a still greater one called the Pope. He controls the mind of the king as the latter controls the minds of his subjects. He has the power to make the king believe that there are no more than one referring to the Trinity: that the bread which he eats is not bread: the wine which he drinks is not wine: and a thousand things of like nature.¹² Montesquieu has his Persian traveller express wonderment at the great number of 'dervishes', a term applied to clergymen, who are supported by the public.

"These dervishes take three oaths: of obedience, of poverty, and of chastity. They say that the first is the best observed of the

10. *Ibid.*, p. 270.

11. *Persian Letter No. 24.*

12. *Ibid.*

three; as to the second, it is not observed at all : you can form your own opinion with regard to the third".¹³

The Protestant countries are more prosperous and more free. The clergy in a Catholic country hoard the wealth, strangle the commerce, and prevent the use of capital in the general interest.

"The dervishes hold in their hands almost all the wealth of the state ; they are a miserly crew, always getting and never giving, they are continually hoarding their income to acquire capital. All this wealth falls as it were into a palsy : it is not circulated, it is not employed in trade, in industry, or in a manufacture.

"There is no Protestant prince who does not levy upon his people much heavier taxes than the Pope draws from his subjects ; yet the latter are poor, while the former live in affluence. Commerce puts life into all ranks among the Protestants, and celibacy lays its hand of death upon all interests among the Catholics".¹⁴

Another monumental work of Montesquieu for which he is so famous in the history of modern political thought is his *Spirit of the Laws*. Conflicting opinions have been expressed as to the merit and value of this work. On the one hand is the opinion expressed by Professor Maxey who describes it as the foremost prose work of the 18th century. It has content and it has style, both of superior quality. It is no exaggeration to pronounce it the most readable treatise on political science ever written. It was the child of slowly ripening scholarship and infinitely patient craftsmanship. It was a treasure-trove of political epigrams, large numbers of which are still doing yeoman service in the world. At the same time it was scholarly and in certain respects original and profound. It was the sort of book, in short, that every reader could get something from and every thoughtful reader a very great deal. A more quotable book was never written.¹⁵

In a similar fashion Professor William Ebenstein writes that the impact of the work was powerful both intellectually and politically.¹⁶ These opinions have also been shared by Professor M. J. Harmon. According to him it has style ; it is serious ; and it is constructive in its attempt to discover all the rules that govern social action, specially to find out how the cause of liberty may be

13. *Ibid.*, Letter 57.

14. *Ibid.*, Letter 118.

15. C. C. Maxey, *op. cit.*, p. 306.

16. W. Ebenstein, *Great Political Thinkers*, 3rd edition, 1962, p. 417.

advanced through the establishment of particular constitutional conditions.¹⁷ A different opinion is expressed by Professor W. T. Jones. To him the book is repetitious, frequently inconsistent, and very often inaccurate, and that modern scholarship has invalidated many of the Montesquieu's conclusions by showing that his subject is even more complex than he himself realized.¹⁸ Almost a similar view is held by Professor George Catlin. In his view the book is characterized by little of that cynical sagacity which made remarkable the work of his predecessor and countryman, Montaigne. Despite the moral enthusiasm with which Montesquieu's treatment of the subject of slavery and civil liberty is endowed, the work on the whole rather deserves the criticism of Rousseau himself, that Montesquieu is concerned rather with how things happened than with asking why.¹⁹ According to Professor G. H. Sabine, there is not in truth much concatenation of subject matter and the amount of irrelevance is extraordinary.²⁰

But in spite of all these flaws and conflicting opinions, the *Spirit of the Laws* ranks as one of the classics of the world, with their scientific and logical correlationship. It is the result of twenty years of hard labour which runs into several editions. Books I to III deal with the definition, nature, and different varieties of law; their relationship with different countries and governments; and the suitability of the different forms of government to their people. Books IV to X deal with the educational institutions, criminal law, sumptuary laws and the position of women, the characteristic corruptions of each form and the type of military organization appropriate to each. Books XI and XII contain the celebrated discussion of political and civil liberty, and Book XIII deals with policies of taxation. Books XIV to XVII have to do with the effect of climate on government and industry, its relation to slavery and to political liberty. Book XVIII covers more briefly the effects of soil. Book XIX deals with the influence of custom. Books XX and XXI are practically observations at large on commerce and money; Book XXIII deals with population; and Books XXVI to XXXI contain remarks on the history of Roman and Feudal Law. Its popularity can be gauged from the fact that it was translated into

17. M. J. Harmon, *op. cit.*, p. 271.

18. W. T. Jones, *op. cit.*, p. 218.

19. G. Catlin, *A History of Political Philosophers*, p. 302.

20. G. H. Sabine, *op. cit.*, p. 469.

English, German, Spanish, Italian and other languages of the European Continent. Great personalities like Louis XVI, Catherine the Great, and Frederick the Great read and admired it ; scholars and thinkers like Gibbon and Bentham were delighted with it. Statesmen like Washington and Jefferson, across the Atlantic, were inspired by it.

Besides his *Persian Letters* and the *Spirit of the Laws*, the book that contributed to the spread of his fame as a scientific and historical thinker was his *Reflections on the Causes of the Greatness and Decline of the Romans*. This book is a clear revelation of the character and method of his philosophy. In it he touches the depth of history in order to discover how events have grown from general causes. Montesquieu is not a believer in chance ; and he holds that historical events and processes are governed by certain principles which can be known through patient study and sincere and objective analysis. At one place he says, "It is not chance that rules the world ; witness the Romans, who had their constant succession of triumphs while they managed their government on a certain plan, and an uninterrupted series of reverses when it was conducted on another. There are general causes, either moral or physical, at work in every monarchy, exalting, maintaining or overcoming it". The book is an accomplished work in the historical method of studies which presents an exhaustive thesis of the causes of the greatness and decline of the Roman people.

3. *Political philosophy of Montesquieu* : Montesquieu as a philosopher occupies a unique place in the annals of political thought. Albert Sorel wrote at one place, "We have had sublimer philosophers, bolder thinkers, more eloquent writers, sadder, more pathetic and more fertile creators of fictitious characters, and authors richer in the invention of images. We have had no more judicious observer of human societies, no wiser counsellor regarding great public interests, no man who has united so acute a perception of individual passions with such profound penetration into political institutions—no one, in short, who has employed such rare literary talent in the service of such perfect good-sense".²¹

(a) *The method of Montesquieu*—The method employed by Montesquieu for arriving at his generalizations and conclusions is empirical or inductive. He rejected the deductive method employed by such rationalists as Plato, Hobbes and Rousseau who started

21. A. Sorel, *Montesquieu*, pp. 28-29.

with certain postulates and assumptions about the nature of man and proceeded to build an ideal state on them. On the contrary he was fully aware of the fact that human customs, laws and institutions are subject to endless variations. Always and everywhere they are not the same but differ because of the differences of temperament among different people and the effect of physical environment, like soil, climate, mountains, rivers and seas. They do not come down to people from heaven above, but are the result of natural growth. They must, therefore, be judged in their historical contexts and their successive stages of evolution. The proper method, therefore, for studying them is the comparative and historical method like the one employed by Aristotle, and to a degree by Machiavelli and Bodin. Edmund Burke has rightly said of him that he "...was a counterpart of the universal patriarch in Milton... bringing together from the east and the west, the north and the south, all the schemes of government which have ever prevailed among mankind, weighing, measuring, collecting and comparing them; joining fact with history and calling into counsel all the speculations which have fatigued the understandings of profound reasoners in all time." In a word the method that he used for the study of political theory is historical and comparative. His method is that of Aristotle and not that of Plato, that of Bodin and not that of Hobbes, Locke or Rousseau. His other leading political ideas are to be found in his *Spirit of the Laws*.

(b) *Montesquieu's conception of Law*—In the *Spirit of the Laws*, Montesquieu develops, what is known, a philosophy of law. The study of historical jurisprudence actually began with his *Spirit of the Laws*. Montesquieu began his *Spirit of the Laws* with a definition of law.

"Laws, in their most general signification, are the necessary relation arising from the nature of things. In this sense all beings have their laws: The Deity His laws, the material world its laws, the intelligence superior to man their laws, the beasts their laws, man his laws".²²

In view of the above definition, we may conclude that for Montesquieu any relation between one thing and some other thing is a law. Montesquieu thinks that the words 'relation' and 'law' are synonymous because he conceives the whole world in all its parts

22. Baron de Montesquieu, *The Spirit of the Laws*, translated by Thomas Nugent, with an introduction by Franz Neuman, Hafner Publishing Company, Inc., New York, 1949.

to be ordered and regular in its behaviour and this order and regularity is not merely accidental or arbitrary ; it is relational through and through. In physics a necessary relation is merely a uniformity in the behaviour of bodies. The sun will rise in the east, will set in the west, the apple will always fall on the ground and the earth will revolve round the sun. As the entire physical world stands in order through and through, men, like the rest of nature, stand in ordered, necessary relations to one another.

As the physical bodies are governed by invariable laws, man as a physical being is like other bodies governed by invariable laws. As an intelligent being he incessantly transgresses the laws established by God, and changes those of his institutions. For man, made of five elements and subject to all human frailties such as acquisitiveness, selfishness, ignorance and error, it is even more essential that some system of rules should exist to regulate his conduct and behaviour. He is sometimes hurried away by a thousand rash and impetuous passions. In his often quoted words, the author of the *Spirit of Laws* observes, "Such a being is apt to forget his creator, at every step ; God, therefore, has reminded him of his duty by the laws of religion. Such a being is liable at every moment to 'forget himself' ; this necessitates the laws of morality enunciated by the philosophers. While living in society, he might 'forget his fellow creatures' ; legislators, therefore, create political and civil laws to remind him of and confine him to his duty".

For prolonging the discussion further, Montesquieu says that in order to have a perfect knowledge of these laws, we must consider men before the establishment of society : the laws received in such a state would be those of nature. In this state, every man is fearful and timid. He feels nothing in himself at first but impotency and weakness. Each man considers himself the inferior of everyone else, and would never dare to attack anyone else. Hobbes was wrong in holding that the state of nature was a state of war. Montesquieu says that the state of war comes only with society, when men have the means to exercise force. The first law of nature is, therefore, peace. Next to a sense of his weakness man would soon face with his wants, hence another law of nature would prompt him to seek for nourishment. Although men are timid and fearful, but they are naturally social. They feel pleasure in associating with their own kind. Again the attraction arising from the differences of sex would enhance this pleasure, and the natural inclination they have for each other would form a third law of nature. Besides the

sense of instinct which man possesses in common with brutes, he has the advantages of acquired knowledge, and thence arises a second tie which brutes have not. Mankind, therefore, have a new motive of uniting, and a fourth law of nature will result from the desire of living in society.

For an analysis of what they believed to be man's nature and his life in a state of nature, Hobbes and Locke had proceeded to the hypothesis of social pact and to a discussion of the devices by which government is established. Montesquieu does not follow this line of thought: for him political society is natural. It happens.²³ But as soon as man enters into a society he loses the sense of his weakness, equality ceases and then commences the state of war. Each particular society begins to contest with one another for advantage. Individuals compete for the advantages their society offers. The state of war begins. It is a condition that gives rise to positive laws, to rules and regulations necessary to keep the peace, the first law of nature. Now are required three kinds of laws: international law to govern relations among nations; political law to regulate relations between governors and governed; civil law to govern relations among citizens.

Besides all these laws, there is also one of the most important laws, i.e., a civil constitution for each particularly considered state which defines the form of government which a state should have and no society can subsist without it and it is obvious that Montesquieu is thinking of the constitutional law. According to him, the positive law should be based upon natural law, as it applies to man and his reason. Montesquieu does not believe in the uniformity of all laws, nor does he prescribe a certain set of laws for any particular state. Quite the contrary, people's circumstances in various societies are so different 'that it should be a great chance' if the laws of one were suitable to another. Laws to be proper and in accord with nature must be relative to a great variety of circumstances. The 'nature and principle' of government must be taken into account, as must a great number of social, economic, religious and other factors, all of which have a bearing on the law.

"The laws should be in relation to the climate of each country, to the quality of its soil, to its situation and extent, to the principal occupation of the natives, whether husbandmen, huntsmen or

23. Thomas I. Cook, *History of Political Philosophy from Plato to Burke*, Prentice-Hall, Inc., Englewood Cliffs, N. J., 1936, p. 591.

shepherds; they should have relation to the degree of liberty which the constitution will bear to the religion of the inhabitants, to their inclinations, riches, numbers, commerce, manners and customs. In fine they have relations to each other, as also to their origin, to the intent of the legislators and to the order of things on which they are established. Hence they ought to be considered in different lights".²⁴

The relations combined together constitute the spirit of the laws. It is an examination of these factors and their relationship to one another that constitutes Montesquieu's task; his purpose is to consider the spirit rather than the substance of the laws. The laws of a society will be appropriate to that society, and the laws and the government which formulates and enforces them will be in accord with nature, when the proper interrelationship prevails. The goodness of a law or government cannot be judged except in this context. As Montesquieu says, "I do not pretend to treat of laws, but of their spirit: and as this spirit consists in the various relations which the laws may bear to different objects, it is not so much my business to follow the natural order of laws as that of these relations and objects".²⁵ By indicating how laws ought to be made, Montesquieu retains his link with the Age of Enlightenment from which he springs. Yet he places his rationalism on the empirical basis of social institutions, history and environment, in the light of which one cannot produce laws by following mere fancy and imagination, because "laws, in their most general signification, are the necessary relations arising from the nature of things". This awareness of the toughness of facts gives Montesquieu's work a massive strength that has stood the test of time.²⁶

It is thus clear that Montesquieu strikes a different note in political thought. Political thinkers before Montesquieu had generally taken their stand on absolutes fortified by sweeping generalization. But Montesquieu did not seek to pursue, but to explain; not to vindicate or condemn, but to show what interested him as the idea that law, which he identified in the usual way with reason, must operate in different environments and so must produce different institutions in different places. Climate, soil, occupation, form of government, commerce, religion, customs are all relevant conditions in determining what in a particular case reason or law

24. *The Spirit of the Laws*, I, 3.

25. *Ibid.*

26. W. Ebenstein, *op. cit.*, p. 417.

will set up. Obviously what Montesquieu was suggesting was a sociological study, by a comparative method of institutions and the incidence upon them of other institutions and non-institutional physical conditions. The assumption that all are variants of one 'nature' was hardly more than a fiction.²⁷

(c) *The nature and principle of government*—Montesquieu did not develop his theory of law in vacuum. It was developed in relation to the nature and principles of government. By the 'nature' of government Montesquieu means the form of rulership found in a civil society. By 'principles' he means the underlying force by which that society is motivated. Certain laws are appropriate to both nature and principle, and Montesquieu devotes much attention to this problem. There are three possible forms of governments—republican, monarchical and despotic. In a republic all or some of the people govern. If all govern it is a democratic republic; if a few govern it is an aristocratic republic. In a monarchical form of government a single person governs by 'fixed and established laws'. A single person directs everything by his own will and caprice. To each of these forms of government he attached a principle or motive force in the character of subjects from which its power is derived. Republican form of government depends on the civil virtue or public spirit of the people. Monarchy depends upon the sense of honour of a military class and despotism depends upon the fear of slavishness of its subjects.

It is impossible to see that Montesquieu's classification followed any principle at all. In respect to the number of rulers, monarchy and despotism fall together, and in respect to constitutionality, a republic can be as lawless as a despotism. The main outline of Montesquieu's theory, therefore, was determined not by empirical consideration but by his preconceptions about what was desirable in France. His republic, actuated by the sturdy civic virtue of its citizens, was the Roman republic. His despotism was what he feared France had become under the policy of Richelieu and Louis XIV, the local government, the parliaments and the nobility had been deprived of their privileges. His monarchy was what he desired that France should remain, or what he later came to believe that England was. For Montesquieu as for Aristotle the types of government were fixed; they are merely modified by the influence of their environment. As to which one was the best, his answer

27. G. H. Sabine, *op. cit.*, p. 468.

was that any one could be and they must be adopted with due regard to the humour and disposition of the people for which they were to be established.

Books IV and VII of *The Spirit of the Laws* contain a consideration of various kinds of law and the relationship they bear to each of the governmental forms and principles. Montesquieu contends that if the proper 'spirit' is observed in their formulation and application, the stability of the society will be preserved. If that rule is not observed the government will be imperfect and in danger of collapse. No more serious task confronts the legislator than that of developing laws that correspond with and support that government of which he is a part. The laws of a democracy should maintain the equality of the people, specially their economic equality. If some are to be rich, many will have to be poor. Such a circumstance will destroy the spirit of equality that marks a democratic society, and democracy will die. The equal distribution of wealth need not be absolute, but there should be well-defined limits for inequality imposed and maintained by law. In an aristocracy, moderation is the key to stability ; if equality is carried too far the nobility are corrupted. The nobility should be compelled to pay taxes and to be generous with the common people. They should be prohibited from engaging in commerce, and the law of primogeniture should be abolished to prevent a concentration of wealth in the hands of a few. The laws of monarchy should support the principle of honour. A hereditary nobility should be maintained, along with the privileges that pertain to it. Taxation laws should not be heaped upon the nobility to the degree that they become weary and incapable of performing these 'glorious actions' which contribute to the public good. In despotism it is necessary to have a large army, for force is required to maintain the peace. Montesquieu goes into great detail to consider the kind of laws required for a despotism.

(d) *His theory of liberty*—It should be impossible to end Montesquieu's argument without some reference to his conception of liberty and of the means by which liberty may be most effectually secured. "Liberty", he justly reminds us, "is one of the vaguest words known to speech". It has been confined to Monarchies, it has been confined to Republics. It has been interpreted as the right to bear arms, as the right to wear a long beard, or a short kilt. It has been used, in short, by a thousand people to describe the form of government—tribal, monarchical, aristocratic, democratic—

which best sorted with their daily way of life or a new-born enthusiasm, which long use had most endeared to their imagination.

Such perversions of the term are mere popular abuses. Its legitimate uses, urges Montesquieu, may be fairly reduced to two : (1) the absolute, and (2) the relative. The absolute liberty implies the unrestrained liberty of the individual to do anything he likes ; and the relative liberty implies the equal liberty of all to do all that is not forbidden by a rational code of law. The first is unqualified liberty and second is liberty qualified by a sense of obligation to others, of duties accepted by the whole community and clearly defined by the law which speaks for the whole community. These are the only alternatives which it is worthwhile to consider. The true concept of liberty, according to Montesquieu, is a right of doing what the laws permit, and if a citizen could do what they forbid he would be no longer possessed of liberty, because all his fellow-citizens would have the same power. Liberty is not anarchy ; there must be laws. But laws too must be of the right kind, forbidding only actions which ought to be forbidden and leaving wide areas of freedom for the individual. Only a moderate government will enact such laws, and moderation in government is a rare quality. What, he asks, are the surest guarantees for liberty, so understood ? And in what forms of government are they most likely to be found ? As all the world knows, his answer to the first question is the separation of powers. And his answer to the second is that in theory such a separation may be attained in any of the three legitimate forms of government—monarchy, aristocracy or democracy.

(e) *Separation of powers*—Anticipating Lord Acton's famous dictum that power corrupts and absolute power corrupts absolutely, Montesquieu says, "Constant experience shows us that every man invested with power is apt to abuse it, and to carry his authority as far as it will go".²⁸ In order to establish and maintain moderate government, power must be checked with power. In all government three kinds of power exist : a legislative power by which the laws are made ; an executive power which controls external (diplomacy and military affairs) and internal policy, or the protection of the public security ; and finally a judicial power by which laws are interpreted and criminals are punished and disagreements among

individuals are reconciled or settled. Each power should be wielded by a different body or person. If it is not done, it will prove inimical to liberty.

When the legislative powers are united in the same person, or in the same body of magistrates, there can be no liberty because apprehensions may arise, lest the same monarch or senate should enact tyrannical laws, to execute them in a tyrannical manner.

Again, there is no liberty, if the judiciary power be not separated from the legislative and executive. Where it joined with the legislative, the life and liberty of the subjects would be exposed to arbitrary control; for the judge might behave with violence and oppression.

There would be an end of everything, were the same man or the same body, whether of the nobles or of the people, to exercise those three powers—that of enacting laws, that of executing the public resolutions, and of trying the cases of the individuals.²⁹

Montesquieu cites a number of examples of various governments how in their case the principle of separation of powers was followed. France, while keeping the judicature or judiciary more or less independent, has allowed the legislature and executive powers to be united in the hands of the monarch. Many democratic republics of Athens and the first French republic have permitted all three powers to fall into the grip of the popular Assembly and same is true of aristocracy of Venice and even perhaps of the later days of republican Rome.

It is the special distinction of England Montesquieu delights to insist to have kept the three powers wholly separate and independent. This in his view is the surest sign of her wisdom and the true secret of her strength. It is her example more than anything else which inclines him to regard a limited monarchy as more favourable than any other form of polity, to the separation of powers and in the words of Montesquieu for "a manly, moral and regulated liberty", the only liberty which man is justified in seeking.

Historically speaking, Montesquieu's doctrine of the three co-equal functions of government was based upon misunderstanding and misinterpretation of the English system of government. Though the doctrine of cabinet responsibility was not fully developed in the eighteenth century as it is today, it was not entirely absent. When Montesquieu was in England, the ministers of state, though

nominally subordinate to the king alone, knew that the tenure of their office depended in large measure upon retaining the confidence of parliament. As a result Montesquieu's version of the separation of powers was an anachronism when he wrote and was soon to appear ridiculous even to the casual observer. Locke's concept of the supremacy of the legislative over the other organs of government was far more in keeping with the spirit of the British Constitution after 1689. But though Montesquieu failed as an interpreter, he succeeded as a prophet. His doctrine of the separation of powers, though erroneous as a statement of fact, was hailed by students of theoretical government. It was due in large measure to Montesquieu's influence that the doctrine was accepted and applied by the inhabitants of the New World when the Constitution of the United States was drawn up.³⁰

(f) *Ideas on slavery*—The chapters in which he speaks his mind on the question of slavery and religious persecution are the most striking, as they are the most passionate of the whole treatise. He expresses his opinion on the subject in an ironical way.

"The nations of Europe, having exterminated the natives of America, have been compelled to enslave those of Africa, lest all those vast lands should go untilld—sugar would be too dear, if slave labour were not employed to grow the canes. The African slaves are black from head to foot, and they are so flat-nosed that it is hardly possible to feel pity for them. Who could bring himself to believe that God who is all-wise can have put a soul, above all a good soul, in a body utterly black? It is impossible to suppose that such creatures are men; because, could we do so, we should begin seriously to doubt whether we, on our part, are Christians".

He declares that slavery is against nature, against the natural law which declares that all men are born equal. Slavery, he again declares, is a violation of liberty itself. He dismissed all the claims that rested upon Aristotelian doctrine of natural superiority of one race to another. But Montesquieu admits only one ground as a justification of slavery and it is the direct and unforced consent of the slave himself, "a reciprocal agreement between the one party and the other, and the slavery resulting from such an agreement or contract is necessarily an extremely mild form of slavery"

30. W. M. McGovern, *From Luther to Hitler*, pp. 93-94.

(g) *His ideas on religious persecution*—Even more fiery is his assault on religious persecution. Speaking in the name of Portuguese Jew, he pleads with the Inquisitors as follows:

“We conjure you, not by the God whom we both serve, but by Christ who, as you say, took upon him the nature of a man in order to leave you an example. We conjure you to do by us even as, were he still upon the earth, he would himself. You wish to make us Christians, and you will not be Christians yourselves. But if you will not be Christians, at least consent to be men. Treat us as you would do if, left to the light of natural justice, you had no religion to guide you and no revelation to enlighten you....one warning we are bound to give you. It is that, if in future ages, any man should dare to call this century civilized, you will be cited as proof that it was barbarous. The records of history will cast shame on your century and hold up all the men of your day to the hatred of mankind”.

Thus according to Montesquieu, religious persecution was the very violation of life itself, a violation of the honour of God and of the truth.

(h) *Theory of rights*—It is to be noted that before Montesquieu's time two famous theories of rights were in vogue. One, the abstract theory of rights, supported by Locke and Rousseau and the other, the theory of expediency as propounded by Spinoza and later on taken by the utilitarians which later on became famous as the Benthamite theory of rights or utility. Montesquieu rejected both these theories. The objection against the first was that it made no allowance for the infinite diversity of man's political conditions: that it assumed an abstract man, the same at all times, in all places and under all circumstances whatever. The objection against the second was that what was expedient or useful to man yesterday may not be today, or what is useful at one time and under one set of conditions, may not be tomorrow under all times and under all sets of conditions.

His conception of rights was based upon the doctrine of relativity that everything is what it is in virtue of its relations. The civil and political rights all are based upon these relationships. Broadly viewed his conception of rights enters directly into the moral law, the ‘relations of justice’. Thus the right admitted by Montesquieu is essentially a guarded and a qualified right. It is a right which has been able to embody itself in a given constitution, to transfuse itself into the life blood of a given nation: not a right

which is of universal validity, not that which is the same always, everywhere and for all. It is a right, therefore, which would have been repudiated with scorn by the disciples of Locke in Montesquieu's own days, with yet greater scorn by those who claimed Rousseau for their master. Such is the limitation which Montesquieu imposed on the idea of right in his political sense: the sense it bore to the generation which proclaimed the Rights of the Man and the Citizen. Political rights are thus to him little more than a mere matter of convenience, of historical accident, and in the strict sense they are to him no rights at all.

The same could never be said of those human and personal rights which are spoken of as a man's right to his life, to his personal freedom, to his freedom of conscience, to his liberty to *worship God as he thinks fit*. *In such matters as these he will hear nothing either of national convenience or historical tradition. These are the fundamental rights of man, which no community can disregard save at his own peril. "They are anterior to all law. And to say that there is no such thing as justice or injustice except what is commanded or forbidden by positive law is to say that before we have drawn the circle, all the radii were not of equal length"*.

gifted by nature with a power of exposition and mastery of style which were wholly beyond the reach of many of his predecessors. If any gathering of educated men were asked who it was that first applied the historical method of political philosophy, it is probable that nine out of ten of them would answer without hesitation: it was Montesquieu.³¹ He stood for history, observation and generalisation as the method of approach to political, social and economic truth. Being practical and historical in his outlook, he dealt with governments as they were and not as they ought to be in the strict sense of the term. It can also be said with some justification that of the four chief writers who prepared the way for the Revolution in France, Montesquieu was certainly not the least; and that, of all the political works produced in Europe during the half century before the Revolution, the only one which can stand comparison with the *Contract Social* is *Esprit des Lois*.³²

Montesquieu is sometimes described as the Aristotle of the eighteenth century, essentially conservative in his outlook. He believed in granting power and special privileges to the hereditary nobility. He had a reverence for the past; and was keenly alive to the organic unity of national life in all its varied expressions. He was not, on the whole, in favour of innovation because he was aware that a change in one direction commonly brings with it, and ought to bring with it, a thousand changes more. He was firm in the conviction that without religion there can be no healthy national existence, and that the established form of religion is not more, but less, easily altered than that of any other object to which men have given their loyalty and devotion. Montesquieu's belief that "nothing must be changed by laws which can be changed by custom and morality" differed strongly from the optimistic faith of the Age of Reason in the possibility of wholesale social change through proper legislation.³³ He thus combines in himself both the conservative and the reforming instincts. This becomes quite obvious when at one place he says that to introduce changes radically at variance with the spirit of the constitution may indeed be an excellent method of paving the way for a revolution. And if on other grounds a revolution is desirable, there is nothing to be said against this way

31. C.E. Vaughan, *Studies in the History of Political Philosophy*. Vol. I (1939), p. 254.

32. *Ibid.*, p. 254.

33. W. E. Benstein, *op. cit.*, p. 419.

He condemned absolutism and tyranny in favour of justice, humanity and tolerance. When he speaks from the heart, his voice carries those accents of liberalism and humanitarianism which were soon to sweep over Europe in a rising tide. Thus, for instance, in one of his chapters of the *Spirit of the Laws* he declares, "No labour is so heavy but it may be brought to a level with the workman's strength, if it be regulated by equity and not by avarice." At another place he observes that the alms given to a naked man in the street do not fulfil the obligations of the state, which owes to every citizen a certain subsistence, a proper nourishment, convenient clothing, and a kind of life not incompatible with health.³⁴ In these lines Montesquieu anticipated the idea of welfare state which is the goal of every modern statesman today.

The doctrine of relativity, which he popularised in the field of political philosophy, was taken for a substantial advantage by physical scientists. The close connection between the outward circumstances and the inward character of nations; the inevitable influence of both these things upon the constitutional form of their government and on their historical development; the essential unity of a nation's life and the consequent folly of attempting to divorce any one side of it—religious, moral, constitutional, commercial and so forth—from the rest: these are kindred matters from the staple of Montesquieu's argument.

In his explicit belief there is a curious mixture of hatred of clericalism and despotism, profound concern for individual liberty, and a strong sense of aristocratic privilege, property and class. Similarly, the implicit hypotheses of his political theory are complex: his faith in reason, humanity, and progress mark him out as a typical representative of the Age of Enlightenment.³⁵ It is, however,

34. *Ibid.*, p. 419.

35. *The Spirit of the Laws*, XXIII, 29.

36. W. Ebenstein, *op. cit.*, p. 419.

a fact which cannot be denied that the influence of Montesquieu has, in the main, been a conservative influence. The admiration of Burke, the hostility of Voltaire and the Encyclopedists, would alone be enough to prove it. And the reason is plain. The mere fact that he insists upon the inseparable connection of the political with the social, the moral, the religious life of every community, of the present with the past, inevitably points the way to his attitude of great caution.

CHAPTER 43
EDMUND BURKE
(1729-1797)

'The disposition to preserve and the ability to improve taken together would be my standard of a Statesman. If I cannot reform with equity, I shall not reform at all'.

—E. Burke

1. *The man and his work* : Edmund Burke, the founder of self-conscious political conservatism, whose reputation was made as an English statesman, was born in Dublin, Ireland, on January 12, 1729. Burke's father, who was an attorney, practised Protestantism. His mother was a Catholic who did not change her faith. Although the Catholics in the Irish population formed the vast majority, yet they were cruelly oppressed by the ruling Protestant English aristocracy. A special penal code was used to exclude Catholics from property, public service, and the professions, reduce them to the state of second-class citizens in their own country, extirpate the Catholic religion, and destroy the sense, and very existence of Irish nationality.¹ Edmund Burke was cognisant of this oppression of

1. W. Ebenstein, *Great Political Thinkers*, 3rd edition, 1962, p. 466.

Catholics by the English Protestants, and he devoted considerable time and energy in later years to an attempt to rectify those oppressive practices.² In 1743, Burke joined the Trinity College in Dublin. After graduating himself from Trinity College, Dublin, Burke went to London in 1750 to prepare himself for the legal profession. But since his heart was in literature and politics, he preferred the vagaries and uncertainties of the former to the security of the latter. This incurred the displeasure of his father, and as a result he cut off Burke's allowance. There was truth in Burke's later statement that he was not "swaddled and rocked and dandled" into a successful career.³

Burke leapt into sudden fame in 1756 by the publication of his essay 'A Vindication of Natural Society'. Although a short essay, the Vindication contains most of the key ideas of Burke developed by him more exhaustively in his later, and more elaborate, writings. In this essay Burke contrasted civilized society with the natural state, coming almost to the same conclusions as Rousseau had reached in his first essay on the subject. In the preface of his essay, Burke expresses his lack of faith in the capacity of the ordinary persons to think things out for himself. He starts with the proposition that "civil government borrows a strength from ecclesiastical", and that in general the "ideas of religion and government are closely connected". The main theme of the essay was to discourage rational inquiry into political institutions as into religion, because the critical spirit of rationalism is bound to challenge, question, attack and finally destroy the civil and religious foundations of society. Burke approached the problems of society in the knowledge that "we owe an implicit reverence to all the institutions of our ancestors", and that we should consider such institutions 'with all that modesty' in which a received opinion should be examined.⁴

In the same year, Burke published his 'Philosophical Inquiry into the Origin of Our Ideas on the Sublime and Beautiful'. It was a treatise on aesthetics. The same year he married the daughter of the physician who had been treating him during an illness. This was a period of great literary activity for Burke. During this period he began his 'Abridgment of the History of England', and the same year he brought out the 'Annual Register', containing very useful

2. M. J. Harmons, *Political Thought from Plato to the Present*, p. 327.

3. *Ibid.*, p. 327.

4. W. Ebenstein, *op. cit.*, p. 467.

political and economic informations. The 'Register' reviewed the history, literature and politics of the period. He continued with this work until 1791. Fortune seemed to have made up her mind to elevate him higher and higher. In 1758, William Gerald Hamilton, an English politician, who was appointed Irish Secretary, accepted Edmund Burke as his private secretary. While living with Hamilton in Ireland, Burke reacquainted himself with the plight of his oppressed countrymen and published his 'Tracts on the Property Laws'. In this work, he condemned the discrimination practised against the Irish Catholics. Fortune again gave a turn to his career. In 1765, Lord Rockingham became the Prime Minister and Burke was appointed as his Private Secretary. Thus, the keys to open the doors of politics were with him. He, therefore, decided not to lose this opportunity. With the support and influence of the ministry, he succeeded in acquiring the membership of the House of Commons. As a member of the House of Commons, Burke opposed the efforts of George III and his supporters, to throw aside the gains of the Glorious Revolution. George III wanted to become the king of England in the real sense of the term and attempted to subvert the principles established in 1688 by capturing power and forcing ministers to be personally responsible to him. Burke soon became a dominant figure among those who resisted the policies of the King. During his eventful stay in the chamber he ruthlessly criticised and condemned the stupid attitude of England towards American colonies, and the oppressive policy of the servants of the East India Company in India.

The later events prompted Burke for writing his 'Reflection on the Revolutions in France' in 1790, and 'A Letter to a Member of the National Assembly', 'Thoughts on the French Affairs' and an 'Appeal from the Old to the New Whigs', all in 1791. These publications had a considerable effect upon the development of English opinion about the Revolution in France, through them Burke compelled protagonists on both sides of the controversy to consider the principles of revolution and reform rather than merely the isolated event of the Revolution itself. In doing so Burke established the main lines of his own political thought. To Burke, the French Revolution was not the result of deep-seated historical conflicts and forces, but of wrong doctrine of philosophers who were animated by analytical atheism, and of vile ambitions of politicians who were driven by opportunist lust for power. Burke is particularly vehement in his denunciation of French philosophers and men of letters—

"robbers and assassins: Never before did a den of bravocs and banditti assume the garb and tone of an academy of philosophers". To Burke, again, the French Revolution was more than an internal French affair, that it was a "revolution of doctrine and theoretic dogma", and he attacked the state that emerged from it as a "college of armed fanatics, for the propagation of the principles of assassination, robbery, fraud, faction, oppression and impiety". Wisdom is most terrified by fanaticism, its worst enemy, against which it is the least able to furnish any kind of remedy, and therefore, Burke called for a European crusade to crush the revolutionary spirit by force of arms. He was convinced that no monarchy would be safe as long as this strange, nameless, wild enthusiastic thing is established in the centre of Europe.⁵

To destroy Jacobinism, Burke sought the formation of a European coalition. He alienated the sympathies of most of the Whig leaders including the great Charles Fox, because of his unrelenting opposition to the French revolutionaries. Burke, however, prevailed at the end; the government policy of war came to be supported by the Whig forces against the French. Feeling that most of his significant work was done, Burke resigned from Parliament in 1794. He watched events carefully in retirement. Realising that England might negotiate a peace too favourable to France because of the financial drains of war, Burke was quick to oppose such a move in his 'Letters on a Regicidal Peace'. The Letters greatly strengthened the resolution of the people and caused the government under William Pitt to alter its plans. The 'Letters' was Burke's last great effort in the public interest. On July 8, 1797, prior to the publication of the last of the Letters, he died. According to his own instruction he was buried at Beaconsfield without any public funeral.

2. *The premises of Burke's political theory*: Burke was an 18th century political philosopher. It is a controversial point whether he was a political philosopher at all. But there is no one to deny the fact that had he died before the French Revolution, he would have been known solely as a great orator and statesman. In the history of political philosophy he would have hardly found any place. There is no doubt that the full fruits of Burke's genius were not gathered till the closing years of his life, yet looking back over

5. W. Ebenstein *op. cit.*, p. 328.

his earlier years, we are able to see that even in them he contributed something solid to political speculation. His speeches and pamphlets are masterpieces of the historical method, such as in matters of practical politics, have never been approached. Burke's major parliamentary interests were the preservation of the constitutions against the aggressive designs of the king, the defence of the Irish, the Americans, and the Indians against the tyranny of English rule, and finally the attack upon revolutionary principles which grew out of his opposition to the French Revolution.

(a) *Burke's theory of expediency*—Burke's political theory is largely based on his doctrine of expediency. Although a conservative thinker, Burke did not like the statesmen to cling to the old order if that was not in conformity with the circumstance of the day. A statesman, he suggested, should move with the swift currents of time. He should read the signs of time and mould himself accordingly. Circumstances and environments are always variable and "he, who does not take them into consideration, is not erroneous, but stark mad". Those, who do not act according to the exigencies of the moment, shall bring catastrophe to their country soon. This was the doctrine of expediency which Burke was never weary of emphasising. With this yardstick he tried to judge the policy of England towards American colonies, India and French Revolution.

On the question of American colonies, Burke held the view that England should not have adopted a rigid legislative policy towards them. Even if it was legally correct for the government to tax her colonies, he pointed out that this should not have been done if the colonists opposed it bitterly. It was his firm conviction that a vast empire could not be maintained on the props of suppression and repression, but could be stabilised only if the happiness of the people was kept in view. Similarly on the Indian question, Burke was shocked to learn the way in which the Indian people were being bled and tyrannised by the cruel servants of the East India Company. So far as the taxation of the American and the affairs of India are concerned, his opponents had based their policy upon a claim of right: (1) of constitutional right in the first case and (2) of chartered right in the other. Both these rights, i.e., the constitutional right of the Home Government to tax the American colonies and the chartered right of the East India Company to govern the Indian people at its own advantage, have received a ruthless condemnation at the hands of the great orator with the

assertion that no right is worth anything unless it receives the sanction of expediency.

Dealing with the affairs of the American colonies and specially their taxation without representation in the British Parliament, Burke said to the champions of constitutional rights, "you will never see a single shilling from America". The champions of the constitutional rights had constantly asserted that the colonies had admitted themselves to be under the sovereign power of the king and Parliament of Great Britain. This was at once the constitutional and the abstract right. It is not the constitutional right as such, but its very nature, which makes it an abstract right, that has been condemned by Burke. He leaves the question of right impatiently aside and once more throws himself solely on expediency. As he writes, "I am not here going into the distinction of rights, nor attempting to mark their boundaries. I do not enter into these metaphysical distinctions. I hate the very sound of them. I am resolved to have nothing at all to do with the question of the right of taxation". And in the end he writes, "The question with me is not whether you have a right to render your people miserable but whether it is not your interest to make them happy. It is not what a lawyer tells me I may do, but what humanity, reason and justice tell me I ought to do".

Next Burke deals with the affairs of the East India Company in India. The East India Charter, he continues, is framed on principles the very reverse. It is a charter to establish monopoly and to create power. What is the sanctity of a charter when it has been made an instrument of misgovernment and oppression? It is the essence of all rights, of all privileges, to impose duty on the holder. And when these duties are violated, the Right is shaken; in extreme cases it is altogether forfeited". Such privileges are all in the strict sense a trust; and it is of the very essence of every trust to be rendered accountable, and even totally to cease, when it substantially varies from the purpose for which alone it could have a lawful existence".

During the rest of this argument he sets himself to bring home to his hearers, firstly, that there is not a single prince, great or small, in India, with whom they, the East India Company, have not come into contact, whom they have not sold; secondly, that there is not a single treaty they have ever made, which they have not broken; thirdly, that there is not a single prince or state who ever put any trust in the Company who is not utterly ruined. And that in a

territory larger than any European dominion, Russia and Turkey excepted, and with a population more than four times the number of persons in the island of Great Britain : a population, moreover, "not abject and barbarous, but for ages civilized and cultivated—cultivated by all the arts of polished life whilst we were yet in the woods ; millions of the most diligent, not the least intelligent, tillers of the earth. And through all that vast extent of territory there is not a man who eats a mouthful of rice, but by permission of the East India Company. What use—is the end of his indictment—has the Company made of their vast powers ? None, far worse than none. England has created no churches, no places, no schools. . . . Every other conqueror of every description has left some monument, either of state or beneficence, behind him. Were we to be driven out of India this day, nothing would remain to tell that it had been possessed, during the inglorious period of our domination, by anything better than the tiger”.

Thus we find that Burke deals with the method which is the appeal to history ; with the principle which is the appeal to a generous expediency, with the assault, which is on the idea of rights. Would it be possible to find a more explicit assertion of the principle that the last appeal is not to right but to expediency. The rights are granted and must only be granted conditionally on the performance of duties.

His condemnation of the French Revolution was again guided by the principle of expediency. He instructed the Government of the day to take all necessary measures to check its tide, otherwise there will be a reign of terror in England. The wisdom of this measure is beyond question, howsoever one may differ with Burke's ideology. Realising that the Revolution will have a very bad repercussion in England, Burke started condemning it and the Declaration of Rights in France. They have been named as the pretended rights of man. As he writes, "The pretended rights of man, which have made this havoc cannot be the rights of the people. For to be a people, and to have those rights, are things incompatible. The one supposes the presence, and the other the absence, of a state of civil society. The very foundation of the French Government is false and self-destructive, nor can its principles be adopted in any country without the certainty of bringing it to the very same condition in which France is found. To be a people and to have those rights are things incompatible. Man cannot enjoy the rights of an uncivil, and of a civil state together". In these three sentences is contained

the pith of Burke's argument against the theory of individual rights. It is now quite obvious from the above, that Burke was all along being guided by the principles of expediency. He wanted the politics of the state to be dynamic so that suitable adjustments could be made according to the needs of the time.

(b) *Burke's theory of the State* : Burke in his general attitude to the fundamental problems of society and the state stood in direct opposition to Locke, but being a Whig he could never attack Locke nor formally renounce any of Locke's political dogmas.⁶ But if he could not renounce them he could at least transform them to such an extent as to make them meaningless. As Professor Hearnshaw remarks, "One of the most interesting tasks that a student of political theory is called upon to perform in his persual of the writings of Burke is to observe the way in which his author, when he comes face to face with a distinctive Lockian idea, bows down to it and worships, circumvents it, knocks it over from behind and then goes on his way rejoicing".⁷ Locke had based his political philosophy upon the social contract : Burke, therefore, could never specifically deny the social contract, but in his system the social contract becomes so ethereal, so vague as to be void of all meaning.⁸ There is no doubt a social contract, but it is not of the kind contemplated by the natural rights theorists. Against the individualist conception of society of Locke and French philosophers, Burke put forward the organic theory of the State. "Society is indeed a contract. Subordinate contracts for objects of mere occasional interest may be dissolved at pleasure—but the state ought not to be considered as nothing better than a partnership agreement in a trade of pepper and coffee, calico or tobacco, or some other such things of low concern, to be taken up for a little temporary interest, and to be dissolved by the fancy of the parties. It is to be looked on with other reverence : because it is not a partnership in things subservient only to the gross animal existence of a temporary and perishable nature. It is a partnership in all science ; a partnership in all art ; a partnership in every virtue, and in all perfection. As the ends of such a partnership cannot be attained in many generations, it becomes a partnership

6 W. M. McGovern, *From Luther to Hitler*, p. 106.

7. F. J. C. Hearnshaw, *Social and Political Ideas of the Revolutionary Era*, p. 192.

8. W. M. McGovern, *op. cit.*, p. 106.

not only between those who are living, but between those as well who are dead and those who are to be born”⁹.

There is thus a government by consent in the sense that government is a trust, but this consent does not imply the equality of all who give it. Consent is given by the whole community in its established parts, that is, classes and ranks of man play an important role in giving consent. It is absurd, Burke says, to regard the consent of an informed and propertied gentleman so far as the concept of natural rights advocated by Locke is concerned. Burke was emphatic that there could be nothing more fantastic than this. Rights are civil and not pre-social. They imply a society and a state. “The only rights men can actually enjoy”, he made clear, “are rights created, recognized and protected by society. Freedom is to be found not in weakening the social bond but in strengthening it, not in setting man against the state, but in reconciling men to the state and working out natural compromises, conferring such liberty as may be consistent with the welfare of society”. Burke’s vigorous attack on natural rights provided a lot of incentive to Bentham when he described them as “simple nonsense, rhetorical nonsense and nonsense upon stilts”.

In spite of his condemnation of the system of natural rights, Burke was ready to curtail the actual sphere of governmental activities to certain narrow limits. Government existed to serve the interest of the people, to interpret their inarticulate desires as best as might be good for them, to lead the people to material prosperity and eternal happiness. Governors should regard themselves as holding a sacred trust for the people in the eyes of God, not to be lightly abrogated or destroyed by the moral corruption of the governors. But there were some things with which the governors were incapable of dealing. Commercial and industrial life should go its way obeying the laws of its own being. “Commerce flourishes most when it is left to itself. It is very well able to find its own way, and its necessities are its best laws”. Burke, while advocating a benevolent supervision for the people, was prepared to allow complete freedom in economic matters to the business world. He argued that the state could have no proper knowledge of so skilled a pursuit as business. He denied vividly that “the desk ought to read lectures to the anvil and the pen to usurp the place of the shuttle”. Burke, whilst denying the rights of the individual in

9. Burke, *Reflections on the Revolution in France*, Works, Vol. 2, p. 282.

politics, heartily supported their free expression in economics. He endorsed the doctrine of laissez-faire with all the eloquence at his command.

While discussing the question of the best form of government, Burke suggests that it must be determined in relation to circumstances. "I reprobate", he states, "no form of government merely upon abstract principles". It is even possible, Burke admits, that "conditions may justify a democratic form, although obviously he believes such a situation improbable. Furthermore, he warns that in a democracy the oppression of the minority by the majority is worse than any tyranny which may be apprehended from the dominion of a single sceptre". Burke, in fact, is mainly concerned to show that experience is the best guide in the matter of creating and reforming government. "The science of constructing a commonwealth", he says, "or renovating it, or reforming it, is, like every experimental science, not to be taught a priori".¹⁰ It is a science that can be learned only through long experience, longer than can be achieved in a single generation. This is why the experience and wisdom of the ages must be taken into account in any plan involving a change of governmental structure, operation or tradition. Revolutions, which undermine and destroy the foundation built over the centuries, should be a last resort. Only when "abused and deranged" governments make it apparent that "the prospect of the future" is as dismal "as the experience of the past" is revolution justified. Then the remedy should not be supplied by the common herd, but by those members of the society who are fitted for the task. On this basis, Burke defends the English Revolution of 1688. Burke regarded only a few people as competent to guide the destinies of the country, and therefore favoured aristocracy as the best form of government.

(c) *Burke's ideas on democracy*—Burke was a bitter opposer of democracy. Its fundamental doctrines of equality and majority rule have been systematically refuted by Burke. People, he asserted, could never be equal from womb to tomb. To talk about equality and classless society is stupid and impracticable proposition. Similarly the rule of the majority did not suit his temperament. He denies the cardinal principle of democracy that only the governed have the right to determine who is to govern them and that all votes count equally. Burke was conscious of the oppression of the

10. Burke, *Reflections on the Revolution in France*, p. 333.

interests, such as the Lords, the Commons, the Monarchy, the Established Church, rather than in terms of individual citizens. He adheres to the medieval idea that man is politically significant, not as an individual citizen, but solely as a member of a group to which he belongs socially or economically. Representation should be based on this principle. Burke's ideas on representation are more medieval than modern. His 'Reflections on the French Revolution' was directed against all the basic rights and liberties of the people. Such a condemnation was received by his contemporaries with surprise and shock. Thomas Paine challenged him in his stirring 'Rights of Man'. It was indeed an irony of fate that a person of the calibre of Edmund Burke lost his mental equilibrium because of French Revolution and advocated principles snatching away the fundamental freedom of the people. But it must be known and understood by students of political theory that he attacked the French Revolution because it glorified the abstract rights of man and refused to recognise the real rights of the individual. To him the revolutionary government was "wicked, immoral, oppressive" because to it "the will, the wish, the want, the liberty, the toil of individuals is as nothing".

Although essentially anti-democratic, Burke was nevertheless a liberal. To him the people were to be supreme in the sense that the true end of all legislation was "to give a direction, a form, a technical dress to the general sense of the community".¹¹ At one place he insists that the state should be "made to the people, not the people conformed to the state".¹² It is the duty of the state to cultivate the welfare of every individual. His wants, his wishes, even his desires should be consulted. Burke contended that the kings should never go beyond constitutional rights and willingly

11. From *Letters to the Sheriffs of Bristol*.

12. Burke, *Regicide Peace*, Works, V, 375.

admitted that nations had a right to depose a king who sought to become a tyrant. In his scheme of things the unlimited or absolute powers of kings had no place. He demanded a cabinet system of government in which the ministers were jointly responsible for their actions and their policy and they were to be responsible not only to the king but also to Parliament.

(d) *Conservatism of Burke*—Burke is rigidly regarded as the founder of self-conscious political conservatism. To quote Prof. G. H. Sabine, "The point is not, of course, that before Burke there was no conservatism, but it is almost true to say that there was no conservative philosophy". Burke did not believe in the abolition of the institutions of the past with one stroke of pen. He wished to judge them on the basis of utility. If they were defective or out of date, they could be gradually reformed. To quote Burke, "The disposition to preserve and ability to improve, taken together, would be my standard of a statesman. If I cannot reform with equity, I will not reform at all". He was therefore a reformer and not a revolutionary, always a Conservative and never a Tory.¹³ He was neither a protagonist of radical changes, nor a stiff clinger to the old institutions. If the circumstances necessitated modification in the old order, Burke would not stand in the way. He sharply distinguishes reform from innovation, which generally derives from a selfish temper and confined views. Whatever innovation, or 'hot reformation' can accomplish is bound to be crude, harsh, indigested mixed with imprudence and injustice and contrary to human nature and human institutions. True reform, which can be brought about only by disinterested statesman must be nearly in the interest of government, and temperate in the interest of the people, because only temperate reforms are permanent and allow room for growth. Whenever we improve, it is right to leave room for further improvement". Every revolution, he says, contains some evil, as it inevitably destroys part of the moral capital, the goodwill of the community, and the moral capital of future generations should be considered as a trust that must not be treated lightly.

Nearly all the principles of conservatism are to be found in his speeches and pamphlets: (1) an appreciation of the complexity of the social system and of the massiveness of its customary arrangements; (2) a respect for the wisdom of established institutions,

13. F. J. C. Hearnshaw, *The Social and Political Ideas of the Revolutionary Era*.

specially religion and property; and (3) a strong sense of continuity in its historical changes and a belief in the relative importance of individual will and reason to deflect it from its course, and a keen moral satisfaction in loyalty that attaches its members to these stations in its various ranks.¹⁴

So far as the appreciation of the complexity of the social system and the massiveness of its customary arrangements are concerned, Burke definitely stands to preserve the existing social order. In the existing social order certain hierarchy of social customs and traditions have found an abiding place which have bound the individuals with each other in one way or the other. It is in these customs and traditions the wisdom of humanity and the experience of past generations have found their manifestation. To destroy them and to introduce new changes, is to ignore the very history of the past familiar to all who are capable of reading it. It is perhaps with direct reference to the activities of the revolutionary party in France, bent upon destroying the entire social order, that Burke has directed the force of his argument.

When Burke expresses his respect for the wisdom of established institutions he is very much doubtful and suspicious of the working of the National Assembly at Paris which was concerned to give a new social and political life in France by imposing upon her a new constitution. The activities of the National Assembly were bound to have their repercussions in England and thus to affect the position of the Whig Party of which he stood as a supporter and a champion. That is why firstly he expresses his admiration for the English constitutions and criticised the French system at length.

"Our constitution is a prescriptive constitution; it is a constitution whose sole authority is that it has existed time out of mind. It is a presumption in favour of any settled scheme of government against any untried project, that a nation has long existed and flourished under it. It is a better presumption even of the choice of a nation, far better than any sudden and temporary arrangement by actual election. Because a nation is not an idea only of local extent, and individual momentary aggregation, but it is an idea of continuity, which extends in time as well as in numbers and in space. And this is a choice not of one day, or one set of people, not a tumultuary and giddy choice; it is a deliberate

election of ages and of generations ; it is a constitution made by what is ten thousand times better than choice, it is made by the peculiar circumstances, occasions, tempers, dispositions, and moral, civil, and social habitudes of the people, which disclose themselves only in a long space of time. It is a vestment, which accommodates itself to the body. Nor is prescription to government formed upon blind, unmeaning prejudices—for man is a most unwise and a most wise being. The individual is foolish : the multitude, for the moment, is foolish, when they act without deliberation : but the species is wise, and when time is given to it, as a species it always acts right”.¹⁵

On the contrary, Burke writes, “When I contemplate the scheme on which France is formed, and when I compare it with their systems with which it is, and ever must be, in conflict, these things, which seem as defects in her polity, are the very things which make me tremble”.

It is thus quite obvious that the central theme in Burke's theory is his admiration for long established institutions and his search for arguments to support and maintain them. It is to be noted that his arguments were based on the doctrine of utility and expediency. Over the centuries have evolved governmental structures, codes of law, classes of society, powers, privileges, customs and traditions, which would not have evolved had experience not demonstrated their usefulness, their utility.

So far as religion is concerned religious belief is a matter of the heart. The wisest statesman is he who will interfere the least in religious matters. For practical purposes the champion of right and the champion of expediency will, in ninety-nine cases out of every hundred, be found to agree. There is a lot of religious flavour in Burke's political theory. Religion, he says, is a stabilizing force. It provides answers to questions where reason is inadequate. It relieves uncertainty. It supports the established order. It provides hopes for those who otherwise would have no hope in a class society and thereby lessen the possibilities of insurrection. A devout man, Burke was convinced that history is the working out of God's will. What has happened, including the growth of institutions of society, is attributable to providence. In any case, the state is not a mere mechanism designed by men at a given time and for a given purpose. It has the authority of generations of experience and

¹⁵. Burke, *Reform of Representation in the House of Commons*, Works, Vol. VI, pp. 146-147.

the majesty of God behind it ; it ought, therefore, generally to be left alone. If changes are necessary they should be made gradually and with the proper respect for the past.

Burke's ideas on property also are conservative. Locke regarded property as originally equal. But Burke frankly states the doctrine that the characteristic essence of property, formed out of the combined principles of its acquisition and conservation, is to be unequal. The defence of inequality of property is based on Burke's theory of prescription, on which also he based his justification of the British constitution. In common law, prescription refers to the claim to title to a thing based upon its long use and enjoyment. His ideas on inequality of property that he defended were closely related to his conception of society in which rank and privileges played such a large part. It was on the basis of this economic inequality that Burke justified and approved the doctrine of political inequality. "Hereditary property and hereditary distinction" wholly composed the House of Lords and he was pleased that the House of Commons in his time was also made up of large property-owners.

As to the landless masses, Burke wanted them to be contented with virtual representation under which he said, "There is a communion of interests, and a sympathy in feelings and desires between those who act in the name of any description of people, and the people in whose name they act, though the trustees are not actually chosen by them". This virtual representation which Burke says, in many cases, is better than the actual. Burke also discusses the question of inheritance in relation to property. The principle of inheritance, he says, is valuable because it conforms to the idea of prescription. It ties the present to the past and the future and makes possible the utilization of the accumulated wisdom of former generations. It does not preclude the possibility of change, but it does render difficult anything entirely new. A prudent people, Burke reiterates, will never march forward without carrying with them the equipage of their forefathers. Men, therefore, should be concerned with resisting change, not with experimenting with novel ideas. They are only the 'temporary possessors' of power, and they hold their position in trust from past generations for the benefit of future generations. Innovation disrupts continuity, and men "become little better than the flies of the summer". It is thus obvious that apart from the direct and explicit support that Burke gave to the sanctity of property and its privileges in government and society, his indirect and implicit support was even more important. What mattered

most was that Burke emphasized the values of prescription, inheritance, rank and distinction, all of which helped to buttress the case of inequality of property and political right.¹⁶

So far as the principle of continuity is concerned, it has already been discussed in connection with Burke's conception of change. His support to the existing institutions and resistance to innovation is unqualified. The error of the French revolutionaries, Burke says, is that they decided to destroy and replace their entire system because flaws developed in some parts of it. But if the structure was dilapidated, it was not beyond repair: the foundation remained, as well as some of the walls. These should have been employed in the construction of commonwealth which retained the valid elements of the old society. The English have made no such mistake. Their "sullen resistance to innovation and their cold sluggishness" have enabled them to resist the innovative siren calls of Rousseau, Voltaire, Helvetius and to retain the "generosity and dignity of thinking of the fourteenth century". The English, Burke boasts, understand that there are no discoveries to be made in morality, and that the great principles of government and of liberty were made before the present generation was born.¹⁷ In short, Burke's position, as a conservative philosopher, may be summed up by saying, "He combined in himself devotion to liberty with respect for authority, hope for the future with reverence for the past... a sane conservatism with continuous reform". A wholesale massacre of old and distant institutions was never appealing to him.

3. *Estimate and conclusion*: There is no one to deny the fact that Burke did not possess the same flight of imagination as Plato and other creative thinkers did. But it is true, at the same time, that he "has been and still continues to be an inexhaustible fount of inspiration and ideas for conservative thinkers of nineteenth and twentieth centuries, specially those of the historical and organismic persuasions. Conspicuously apparent is his influence on the writings of such outstanding publicists of the conservative wing as Maine, Freeman, Seeley, Sidgwick, Mallock, Leckey and Godwin".

He was on the side of the future on three of the principal political issues of his time—Ireland, India and the American

16. W. Ebenstein, *op. cit.*, p. 470.

17. M. J. Hormon, *op. cit.*, p. 336.

colonies. In all these instances his sympathies were magnanimous, his judgment foresighted, and for these reasons he will always be an abiding inspiration to liberal statesmen.¹⁸ Burke's dislike of radical and sudden change, his violent attack upon the principles of the French Revolution, the reverence he felt for the monarchy and the House of Lords, his opposition to a wide suffrage and to parliamentary reform, tend to make us forget that after all Burke belonged to the liberal tradition. Burke made many heated attacks upon the political ideas of Rousseau and Paine, the more extreme liberals, but compared with the doctrines of King James I, of Filmer, or of Hobbes, the political philosophy of Burke was truly liberal¹⁹. His distrust of metaphysics and a priori reasoning, and his constant reiteration of the plea that politics is a matter of prudence, expediency, circumstances, utility, experience, history, loyalty and reverence, and not of abstract speculation, are the positive contributions to political thought. This attitude leads him to a rejection of revolution and innovation and an extremely cautious approach to reform of any kind. The currents of Burke's mind ran counter to the dominant movements of thought and feeling in which he lived. He was an opposition member, not only of parliament where he sat for many years, but of the age.²⁰

His approach to the study of the problems of political theory is historical and practical. Liberty, as for example, he says, is a noble ideal ; but it is dangerous if it is not practical. Of course, liberty is valuable ; but so are other things as well : security and property, for instance. It may be that the institutions of the ancient regime were deficient in liberty ; but in a slow, gradual growth by trial and error, by adaptation to circumstances, a form of government had developed which, if not perfect, at least took account of, and in a measure achieved, a variety of goods. And this is better than so to insist on achieving some one good that all others are lost. For goods are not good in abstraction and isolation, but only so far as they fit harmoniously into a full and complete life. A certain line of conduct, a certain goal or ideal, is not absolutely good or bad. An action may be very noble, or prudent, or altruistic in one set of circumstances ; and in different circumstances the same action may be cowardly, foolhardy and selfish. This is

18. W. Ebenstein, *op. cit.*, p. 472.

19. W. M. McGovern, *op. cit.*, p. 111.

20. W. T. Jones, *Masters of Political Thought*, Vol. I, p. 329.

what makes Burke a defender of what is old, what is conventional, and what is long established. In all this Burke was doubtlessly reacting not only against the specific events of the revolution in France, but against a climate of opinion widespread in his contemporary world.

In his general attitude towards institutions, Burke remained in general accord with Montesquieu. Because of his emphasis upon tradition Burke agreed with Montesquieu that it is absurd to try to impose the governmental organs of one country upon an alien people, for it very seldom happens that the traditions of two countries are the same. "The circumstances and habits of every country, which it is always perilous...to force, are to decide upon the form of its government".²¹

His organic concept of state based upon the notion of a common life is unique in itself and runs counter to the concept of the state as developed by Locke and Spencer. He conceives society as an organism : its parts held together not as members of a joint-stock company are, by a sense of mutual benefit, nor as slaves obedient to some Eastern despot, but as organs which have grown together, sharing a common life and following a customary pattern of behaviour whose smooth working is the product of a long period of unconscious growth. It is a system of mutual give and take which may, doubtless, not be ideal, but which is "better than anything we could invent for them—better indeed, than any arrangement they can reach except as a result of another long process of gradual growth".

Although a very foresighted statesman, Burke failed to see that revolution is not necessarily the essence of metaphysical fanaticism but may spring from the soil of experience, the experience of protracted suffering. The breakdown and failure of social and political institutions are just as much a matter of experience as are their growth and development. But in spite of this lack of understanding, Burke's *Reflections* remains a representative of a mature, imaginative and penetrating mind. And although his powerful pen served to retard the cause of progress, so many sober truths shone through his pages that his writings became a veritable manual for the guidance of the magistrate who would play his part wisely in the direction of the destinies of a great and free people. He clothed the principles that had guided his political thinking in powerful, majestic

21. Burke, *Appeal from the New to the Old Whigs*, Works, IV, 109.

rhetoric, and he clung to them with the energy of desperation. His crucial weakness lay in the fact that he was not an original thinker. He could not see the path that led to serenity in the future, neither could he visualise a changed social and political order for England. His thoughts lost much of the dynamic quality it has possessed in earlier years and became well nigh frozen with fear. The historical imagination that had previously led him forward now forsook him, and in his horror he bade time stand still.²² But at the same time he showed how the people and the government must cooperate if they were to enjoy the priceless heritage of liberty.

22. A. H. Osborn, *Rousseau and Burke*, p. 246.

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